



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, TUESDAY, APRIL 24, 2018

No. 66

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord, marvelous is Your Name. We celebrate the works of Your hands: the sky and sea, the songs of birds, the hues of flowers, and the precision of the planets.

Bless the people of our beloved Republic. Amid all differences, may they be one in spirit, purpose, and faith.

Lord, continue to sustain our Senators. Keep them living, laboring, and loving for the good of all. Make them instruments of Your will for the healing of our Nation and world. Keep them conscious of Your presence and direct their thinking, speaking, and doing.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

NOMINATION OF MIKE POMPEO

Mr. McCONNELL. Madam President, yesterday the Foreign Relations Committee finished consideration of Mike Pompeo's nomination to serve as our Nation's 70th Secretary of State. They reported his nomination to the full Senate with a favorable recommendation. Later this week, we will take

their advice, and we will vote to confirm him.

We will be lucky to have this capable public servant on the job. We know Mike Pompeo is up to the task. After all, we confirmed him with a comfortable and bipartisan majority to lead the CIA. In one of the most sensitive positions in our government, the quality of his leadership was directly linked to the security of the American people.

West Point valedictorian, Harvard Law, U.S. Army officer, a successful businessman, and three-term Congressman serving on the House Intelligence Committee—this is the resume that Mike Pompeo brought to the top job at the CIA with the support of a bipartisan supermajority of the Senate, and, by all accounts, his tenure there has been a big success. The caliber of Mike's leadership and the quality of his counsel have won him the respect of our National Clandestine Service and the confidence of the President.

Just recently, Director Pompeo undertook sensitive conversations with representatives of North Korea to lay the groundwork for efforts aimed at denuclearizing the Korean Peninsula.

As he steps into this new mission as Secretary of State, he clearly enjoys the confidence of the President, and throughout his testimony before the Foreign Relations Committee, he demonstrated expertise and professionalism.

Fortunately, even as so many of President Trump's well-qualified nominees are obstructed and delayed without reason, a bipartisan majority of Senators have already signaled their intention to vote to confirm Mike Pompeo. We have the nominee, we have the votes, and we will confirm our next Secretary of State this week.

Then, I hope we can build on this bipartisan momentum and process more of the President's qualified nominees.

OPIOID EPIDEMIC

Mr. McCONNELL. Madam President, on another matter, our Nation's opioid epidemic continues to plague communities and families in my home State of Kentucky and across the Nation. Here in Congress, we are doing our best to support the healthcare and law enforcement professionals who are battling it every single day.

Last week, I introduced the Protecting Moms and Infants Act, a bipartisan effort to confront the heartbreaking cases of prenatal and infant opioid addiction. It builds on my 2015 bill, the Protecting Our Infants Act, and Congress's other recent progress on this issue.

In recent years, Congress has bolstered prevention, treatment, and enforcement efforts through the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act, and the recent government funding bill dedicated a record level of resources to saving lives from heroin and prescription drug abuse.

But much more work remains. So today I am proud to announce legislation to address this crisis' devastating effects on the American worker and the American workforce.

Stable employment is not just a path to financial security for workers and families. Earning a paycheck from a job is also linked to personal happiness and even physical health. We see firsthand in Kentucky the need for the structure and support that come with a job to help keep former addicts from falling back into the cycle of addiction. According to the CEO of a treatment facility in Louisville, "stable housing and employment are vitally tied to an individual's recovery." But, unfortunately, in the very communities where employment could do so much, the opioid crisis itself is making it harder to attain.

I frequently hear Kentucky employers cite substance abuse as a major hurdle to finding and hiring suitable

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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applicants. One study traced roughly 25 percent of the decline in workforce participation between 1999 and 2015 to the opioid crisis. That amounts to about 1 million missing workers. It is no wonder that the Trump administration reports that the epidemic cost our economy a half trillion dollars in 2015 alone.

The economic cost pales in comparison to the human cost that addiction and joblessness inflict. The Comprehensive Addiction Recovery through Effective Employment and Reentry Act, or CAREER Act, would bring targeted relief to the States most devastated by substance abuse. This State-based pilot program would encourage local businesses and treatment groups to form partnerships to help those in recovery find and maintain employment.

The legislation expands housing block grants to encourage more transitional housing options for recovering addicts until they secure permanent arrangements. It gives States more flexibility to spend Federal career services and training funds to support specific initiatives dedicated to helping individuals transition from treatment to the workforce. In short, this bill does exactly what the experts tell us needs to be done on this front.

This morning, Chairman ALEXANDER and the HELP Committee are reviewing comprehensive opioid legislation. I commend the chairman for his diligent efforts on this subject. It is my hope that the committee will choose to include some of the proposals in the Protecting Moms and Infants Act and the CAREER Act in the larger package that they are developing.

This epidemic requires our continued attention. On behalf of those in Kentucky and all over the country who are struggling, we are determined to keep doing our part.

TAX REFORM

Mr. McCONNELL. Now, Madam President, on one final matter, the passage of Republicans' historic tax reform last December was just the latest illustration of the diverging paths Republicans and Democrats envision for our economy.

For the better part of the last decade, our Democratic colleagues' ideas ran their course. We were promised that they would help us recover from the financial crisis. But it wasn't a recovery for all Americans. In fact, the path put forward by our Democratic colleagues had two distinct lanes. The express lane was for major cities like New York and San Francisco. Urban areas with more than 1 million residents captured 90 percent of the Nation's population growth and nearly 75 percent of new jobs created between 2010 and 2016. Seventy-five percent of new jobs created between 2010 and 2016 went to these large urban areas.

Those select communities actually made up some ground, but working

families and job creators in America's smaller cities, towns, and rural communities were stuck in the slow lane. There, job opportunities dried up as investment dollars hit the road. There, Americans learned what it feels like when Washington, DC, leaves you behind. But, fortunately, these communities are among the first to feel the benefits of the new Republican approach.

The historic tax relief we passed last year cut taxes for American families and gave employers more flexibility to expand, hire, and give their workers bonuses, raises, and new benefits.

As my colleague Senator YOUNG reports, the results in Indiana are adding up. He heard from a Hoosier in Cedar Lake who is expanding his family milk-hauling business, and a Kokomo small business owner who is now hiring more workers. I recently read that over in Ellettsville, one family has found an additional \$200 in their monthly paychecks—enough to cover a week's worth of groceries.

I don't think my colleagues across the aisle intended to make life more difficult for middle-class families across the country. It is just that these leftwing policies make it harder, not easier, for American workers and job creators to actually get ahead. But when my Democratic friends had the chance to join us and deliver historic tax relief to American families, they stood firm and tried to block tax relief on a party-line basis. One of Indiana's own Senators tried to block all that good Indiana news from happening.

I am proud that Republicans overcame that obstruction and got tax reform accomplished for all Americans.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Stuart Kyle Duncan, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

Mr. McCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MIKE POMPEO

Mr. CORNYN. Madam President, yesterday, after some drama and a rare act of civility on the part of Senator COONS, for which I applaud him, the Senate Foreign Relations Committee approved the nomination of Mike Pompeo as Secretary of State. This is despite Chairman CORKER repeatedly pointing out how qualified for this appointment Director Pompeo actually is, but, apparently, it fell on deaf ears.

This sort of treatment is unprecedented, in my memory certainly, for a Secretary of State. Director Pompeo was, in fact, first in his class at West Point and led the Harvard Law Review. He served his country in the military and served the people of Kansas in Congress, not to mention the fact that Mike Pompeo already serves in one of the most sensitive and important positions in the Trump administration as Director of the Central Intelligence Agency.

I spoke yesterday about the confirmations of some of the most recent Secretaries of State, not just Secretaries Clinton and Kerry. Secretary Kerry got all but three votes in the Senate, and Secretary Clinton lost only two votes in the Senate, but I also spoke of Secretary Powell and Secretary Rice. All were confirmed overwhelmingly because the Senate has always had a tradition, until now, of showing some deference to the President when confirming nominees to positions like this that have national security importance. The world needs to know that this President has confidence in this nominee, and he does. That is the key to his effectiveness in international diplomacy—knowing he has the President's ear.

Our Democratic friends once upon a time acknowledged that, in the words of the senior Senator from Delaware:

The President, regardless of what party they are from, needs, for the most part, to have the team they want to put in place. They have been elected to lead. Let's give them a chance to lead.

The opposition we are seeing breaks with this longstanding tradition in a shameful and partisan way. Of course, our Democratic colleagues have been slow-walking and obstructing qualified nominees since the President was sworn in, just to hinder progress for hindering progress's sake alone. This is the kind of hyperpartisan approach to foreign policy that threatens to harm our national security because this is an important national security post. Not only should we confirm Mr. Pompeo so the President can have the support of his full Cabinet, but also so the American people can have the assurance that our national security is not being treated like a pinata that our Democratic colleagues are whacking with a stick.

The American people can see through this kind of concerted effort to prevent the President from filling Cabinet roles that deserve to be filled. In fact, that seems to be the approach: wherever, whenever, however to block President Trump from accomplishing anything he seeks on behalf of the American people, even though he was elected President of the United States.

Several editorial boards have already pointed out the importance of filling this position and have urged our Democratic colleagues to allow Director Pompeo to be confirmed expeditiously. USA Today editorial writers penned a piece saying:

Unless a nominee has clear ethical or competency failings, presidents should be accorded wide latitude to select top aides whom they trust and agree with. Pompeo passes that test and merits approval.

The Washington Post writes: “Mr. Pompeo should be deployed to Foggy Bottom in the hope that he will fulfill his promise to revive and reassert U.S. diplomacy.”

The Chicago Tribune writes: “Pompeo knows well how to work with both Congress and the president—who trusts him so much he sent him on a secret mission to Pyongyang to meet with North Korean leader Kim Jong Un” in advance of the President’s meeting with him in a few weeks.

It doesn’t stop there. There are nearly a dozen editorial boards that say the same thing these newspapers have—that Mr. Pompeo is undoubtedly qualified and the President trusts him, and on these two points, the Senate should confirm him.

The flip-flop our Democratic colleagues are doing from last year, when 15 of them supported Mr. Pompeo’s nomination to the CIA, should be a source of embarrassment. To say that somehow the job of the Secretary of State is more important or more sensitive than that of the CIA Director—both of them are extraordinarily important. If they had the confidence in him to vote to confirm him to the CIA and are now searching for reasons to support a “no” vote for Secretary of State, it is pretty clear what is happening. Some of the most radical activists in the Democratic base are clearly getting to some of these Senators.

There is still time to put country above politics, national security over the next election, and principle over posturing. I urge all of our colleagues to give this nominee the same treatment the Senate gave Secretaries Powell, Rice, Kerry, and Clinton, and confirm Mr. Pompeo as our next Secretary of State.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

SENATE RULES ON NOMINATIONS

Mr. SCHUMER. Madam President, the Rules Committee will mark up Senator LANKFORD’s resolution tomorrow to change the rules on the consideration of nominees to benefit the Senate majority. Of course, the majority in the Senate can already approve of a nomination on a party-line vote for all nominees up to and including now the Supreme Court since Leader MCCONNELL elected to change those rules last year.

Why the need for further erosions to minority rights in the Senate? The Republicans argue it is because they are facing “historic” obstruction of the President’s nominees.

A few points on that: First and foremost, the truth is the Democrats have cooperated with the majority on non-controversial nominees, like career ambassadorships and civil servants, for a long time now. Before each recess, there is a long list of names that is approved. Before the last recess, the Senate had confirmed nearly as many nominations in 2018 as President Obama had confirmed in the analogous year of 2010. Let me repeat that. Before the last recess, the Senate had confirmed almost the exact same number of nominees in 2018 as President Obama had confirmed in 2010, the second year of his Presidency.

So this idea that it is historic—bunk. You can tell it is bunk because at the same time our Republicans and even the President himself, on some days, complain about obstruction, on other days, the President and the Vice President are boasting about how many judges they have filled on the bench.

This morning, President Trump said:

We put [on] a tremendous amount of [Federal] district [court] judges. We are setting records.

I say to my Republican friends and the President: You can’t have it both ways—on the one hand, historic obstruction and, on the other, a record pace of confirmations that you brag to your base about. You can’t have it both ways. It is hypocrisy.

A second point: The Republican majority has already taken brazen steps during this Congress to limit minority rights on nominations. I mentioned the leader breaking the rules on Supreme Court nominees. Let’s not forget that he broke the rules after letting Merrick Garland sit there while not allowing a nomination. It takes a lot of gall to complain about obstruction when Leader MCCONNELL opened the gates to obstruction—made obstruction his watchword—when he did what he did to Merrick Garland. He didn’t stop. The Republicans have not stopped this year. The Republicans have engaged in hardball tactics at the district and circuit court levels.

Here is what happened. Take the Republican seat that is vacant on the Seventh Circuit. Because Senator LEAHY—then-chairman—and, later,

Senators HATCH and, I believe, GRASSLEY honored the blue slip, a seat in the Seventh Circuit that belongs to Wisconsin was held open for 6 years by their refusing to approve two nominees by President Obama. Now the President has nominated a very conservative judge, Michael Brennan, who has failed to earn the recommendation of the bipartisan commission that is respected in Wisconsin and was set up by both Senators BALDWIN and JOHNSON—one a Democrat, one a Republican—to recommend Federal nominees. Yet this administration has no known concern about the real qualifications of the judges as long as they meet the hard-right checklist.

Despite the fact that Senator BALDWIN has not returned a blue slip for Mr. Brennan, Chairman GRASSLEY has moved him out of committee anyway. This is the second time Chairman GRASSLEY has ignored the blue slip tradition. The blue slip tradition was faithfully honored by Senator LEAHY when he was chairman. Our Republican colleagues have used it to an extent that, certainly, would be “historic” obstruction. For 6 years, a seat was vacant on the circuit court, and it was not the only one that had had long-term vacancies. Now, all of a sudden, because the Democrats want to discuss this, null this for a few days, Senator LANKFORD wants to change the rules. I know he only came to the Senate in 2014, but he ought to look a bit at the history before he gets into high dudgeon.

The issue of nominations has been fraught, and it is true there have been escalations on both sides. I am the first to say that. Despite the rhetoric from the majority party, the Democrats have worked in good faith this year to clear noncontroversial nominations expeditiously. When nominees require vetting, the Senate should have the tools to consider them thoroughly because, clearly, this administration is not taking the task of vetting seriously.

This is a final argument—and there are many good ones I would like to make. The Trump administration has done the worst job of vetting its nominees of any administration I can remember. It seems a slapdash process. It has had to withdraw the nominee for the Labor Department because he was not properly vetted; it has fired the Secretaries of HHS, State, and the VA; and it has faced a host of other controversies with staff and turnover. I dare say, if Mr. Pruitt had been properly vetted, he may not have been nominated given what we have found out.

Now we hear that the new nominee for the VA Secretary—the President’s personal doctor—is on hold because of some troubling allegations. How did he get through the process with all of these allegations not even having been made public? My guess—there was not proper vetting. I was not there, but it is speculative that, maybe, one day, the President, who we know acts on

impulse, had this nominee in the room—his doctor—and he said: Hey, let's put you up without any vetting.

The President is putting forward nominees without appropriate vetting. It is our job to vet, and we will not be rushed through, particularly when this administration has had such a poor record of looking at the qualifications and the problems that each nominee has brought. More than ever, with this President, it is the Senate's job to advise and consent, not to be a rubberstamp. The rule change that is being proposed by Senator LANKFORD is totally unmerited, inadvisable, and lacks any knowledge of history of the Senate.

You know, we are trying to return to some comity here. The omnibus bill was very good work among Speaker RYAN, Leader MCCONNELL, Leader PELOSI, and me. We are going to meet in a little while to talk about doing the appropriations process in regular order and going back to the days when we did that, which I know our majority leader sincerely wants to do, as do I, as does Senator SHELBY, as does Senator LEAHY. Something like this—so partisan, so unfair, and so unacknowledging of the history that has come before—doesn't help the sense of comity in the Senate.

I urge Republicans and Democrats alike on the Rules Committee to reject this terribly ill-advised proposal.

DEPUTY ATTORNEY GENERAL ROSENSTEIN

Madam President, on another matter, over the last few months, House Republicans have heaped enormous pressure on Deputy Attorney General Rod Rosenstein in a transparent attempt to bully him into providing documents that are pertinent to an ongoing investigation—something we have hardly ever seen before, something that really gets in the way of law enforcement doing its job. Representative NUNES, who has shown his partisanship repeatedly, and others have gone so far as to threaten Mr. Rosenstein with contempt of Congress and even impeachment if he doesn't hand over former FBI Comey's memos, FISA Court documents, and other information that is related to Mueller's investigation into foreign interference. Mr. Rosenstein gave them that information, which, of course, was leaked afterward to the press.

It is not Justice Department protocol or any other prosecutor's protocol to share information that is pertinent to an ongoing investigation. It just welcomes interference. That is true even with the most objective of those who get the information, and I think 95 percent of America believes Congressman NUNES is not objective. It is not hard to understand why we don't do this. Yet several House Republicans have smeared Mr. Rosenstein and have even threatened his job unless he breaks the longstanding prosecutorial guidelines which will force him to give them information they can twist into political ammunition. What Representative

NUNES and others have been doing is disgraceful, just disgraceful, and not consistent with our being a democracy, where there is the rule of law. It is more consistent with the bullying attitude that we see in nondemocratic countries.

Deputy Attorney General Rosenstein is doing his level best to honor the integrity of the Russia probe while being dragged through the mud by the President and his allies in Congress. He is a strong man. He has done an excellent job, and he is doing his best now. He is doing exactly what a Deputy Attorney General should be doing. Mr. Rosenstein deserves our respect—all parties' respect, the whole country's respect—for his efforts in being honest and transparent with Congress while maintaining the integrity of the Russia probe.

Even so, as a columnist in the Washington Post put it this morning: "It's a miserable day at the Justice Department when the deputy attorney general is forced at gunpoint"—bullying, threatening—"to turn over important evidence in a pending criminal investigation." The "bullying" and "threatening" are my parenthetical words.

It continues to be a real disgrace for House Republicans to engage in such bare-knuckle tactics in a relentless effort to deter and kick up dust around the Mueller investigation. Our fellow Republicans, the bar across the country, and the country itself—the public—should resist this kind of bullying and pressure. It is so un-American, so against the rule of law, so against how democratic republics work.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President, I come to the floor this morning to oppose the nomination of Stuart Kyle Duncan to serve on the Court of Appeals for the Fifth Circuit.

I accept that there are differences of opinion with respect to nominees, and I accept that I will not agree on every issue with every Trump nominee. I do expect that individuals who are up for lifetime judicial appointments have to demonstrate that, above all else, above everything else, they will be guardians of the constitutional rights of the American people. If you want to be a judge in America, my view is, you ought to have to show an independence of thought and a respect for the rule of law.

I regret to say this morning, I believe this nominee has not met those important expectations. As I review Mr. Duncan's record, it seems to me he has made a career out of fighting to restrict the rights and legal protections

of the vulnerable and those who are powerless. It ought to be an immediate red flag to see how often he has aligned himself with the wrong end of some of the most high-profile cases in the last few years.

My view is that his record on civil rights alone ought to be disqualifying. Twice he has represented States—North Carolina and Texas—in their defense of voter suppression laws that were written and passed based on false claims of voter fraud. Both of those laws, in my view, were a sort of Frankenstein monster of past proposals that would have made it harder for African Americans and Latino citizens to vote. You don't have to take my word for it; both of those cases were thrown out by the courts. Fortunately, neither time was Mr. Duncan successful on appeal.

In another case, he argued before the Supreme Court that a wrongful conviction verdict ought to be thrown out. An African-American man named John Thompson spent 14 years on death row after prosecutors in New Orleans concealed evidence that would have proven his innocence. After his exoneration, this individual won a \$14 million wrongful conviction suit. Mr. Duncan, on the other hand, led the effort to have it overturned. An innocent man's life was ruined, and Mr. Duncan saw to it that he had no recompense.

He has clearly been a staunch opponent of women's reproductive rights and healthcare. He was counsel of record representing Hobby Lobby in its case against the Department of Health and Human Services in 2014. In that case, Hobby Lobby sought to throw out the legal requirement that women have no-cost access to contraception through their health insurance coverage. Mr. Duncan argued that the government has no compelling interest in guaranteeing access to contraception. To hold that view, you have to basically throw in the trash can the science showing that contraception results in lower rates of cancer and healthier pregnancies when women choose to conceive. You also have to be willing to turn a blind eye to the matter of economic fairness—that women, particularly those who are vulnerable, those of modest means, should not be taxed for their gender.

Mr. Duncan went on to author a special legal brief in *Whole Woman's Health v. Hellerstedt*, arguing that the Supreme Court should have ignored medical evidence and allowed the State of Texas to shutter women's health clinics on trumped-up grounds.

I also think that as the Senate considers this nominee, we should look at his record on LGBTQ Americans. In 2015, when he was in private practice, this nominee served as special assistant attorney general for Louisiana. There, he authored an amicus brief on behalf of 15 States, urging the Supreme Court to reject the right to same-sex marriages nationwide. He wrote that recognizing such a right would endanger the "civil peace." It is a head-

scratcher to me how he could reach that conclusion. Whatever damage has been done to the civil peace in the last 3 years certainly has had nothing to do with same-sex marriage.

When I came to the Senate, I believe I was the first Member of this body who came out for marriage equality. Back then, I said: This is pretty simple, folks—if you don't like gay marriage, don't get one. Regrettably, this nominee not only doesn't share that view, but he wrote that recognizing the right to marriage equality would, in his view, endanger the civil peace.

He represented Gloucester County, VA, in an effort to deny a transgender student's right to use the bathroom aligned with the gender identity. He also represented rightwing lawmakers in North Carolina, defending broadly discriminatory legislation that became known as the bathroom bill.

The list of concerning episodes and disqualifying work in Mr. Duncan's career does take a fair amount of time to actually walk through. What I will just tell you is that when I look at Mr. Duncan's background, what I see is a long record of hostility toward the rights of women and minority Americans. He has consistently defended powerful special interests over the rights of those who don't have political action committees, aren't powerful, and don't have high-priced lobbyists.

As Senators consider how to vote on this nomination, I find it hard to believe that this track record of bias that I have outlined this afternoon will suddenly vanish, will just disappear on confirmation. In my judgment, this is an individual who should not serve on the bench. I urge my colleagues to vote no.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. YOUNG). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I come to the floor to speak in opposition to the nomination of Kyle Duncan for the U.S. Circuit Court for the Fifth Circuit.

I find his nomination troubling, but I find many of President Trump's nominees for judges troubling because they want to restrict established rights or roll back privacy issues, whether it is *Roe v. Wade* or LGBT rights.

In many cases, Mr. Duncan has tried to take away these very important reproductive rights for women. From 2012 to 2014, he was the lead counsel on the *Hobby Lobby v. Sebelius* Supreme Court case. That flawed decision allows closely held corporations to deny FDA-approved contraceptive coverage to women employees if the company owners object to the contraception based on religious beliefs.

More than half of the working-age women in Washington State get their healthcare coverage through their employer. They pay for their coverage through hard-earned wages and compensation. Their employer should not be able to just cherry-pick what benefits they get because the owners have a self-professed religious objection.

Mr. Duncan also tried to go after State laws protecting birth control access. Thanks in part to Washington State pharmacist Jennifer Erickson, Washington State has a law on the books requiring all pharmacies to stock and deliver all lawfully prescribed drugs, including contraception, but Mr. Duncan worked to take that hard-fought access away.

In 2016, he filed a brief urging the Supreme Court to take up a challenge to the Washington State pharmacy law in order to strike it down.

He also worked to deny access to constitutional rights to terminate pregnancies. In the *Whole Women's Health* case, Mr. Duncan filed a brief defending an unconstitutional Texas law that restricted access to safe and legal abortions at qualified health providers.

Ultimately, in the *Whole Women's Health* case, the Supreme Court rightly struck down this very deceptive Texas law, finding it had nothing to do with medical necessity and placed an undue burden on women.

In the landmark case of *Obergefell v. Hodges*, Mr. Duncan authored an amicus brief which argued against same-sex marriage, and he has represented North Carolina in their defense of the "bathroom bill," which discriminated against transgender individuals. We need to expand the rights of the LGBT community, not nominate a judge who believes we should roll back these laws that are so important to the individuals in my State.

Mr. Duncan also defended North Carolina's restrictive voting laws which limited early voting, prevented same-day registration, and placed limitations on where people could vote. The appeals court found that these restrictions violated the Voting Rights Act because they were disproportionately affecting African Americans. We do not need to see a judge on our bench who is trying to limit people's participation in our democracy as we are trying to protect their access to voting.

It is no secret the Trump administration has been chipping away at women's healthcare and constitutional rights by using every tool at their disposal. I am especially troubled that the President is intent on nominating judges, such as this one, who do not respect the settled law of *Roe v. Wade*.

The administration is making every attempt to roll back these important privacy laws. Kyle Duncan, the nominee we are considering, has spent decades doing the same. That is the reason I oppose his confirmation, and I urge my colleagues to do the same. I hope they will follow in making sure we protect these important rights.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RULES ON NOMINATIONS

Mr. LANKFORD. Mr. President, earlier today, the minority leader came to the floor to talk about multiple issues. During that conversation, he called me out by name regarding a rules proposal that I have in front of the Rules Committee this week. He said that he vehemently disagrees with that rules proposal. He even mentioned that he knows that I came here in 2014 and that I should study the history of the Senate a little bit more before I bring up a rules proposal. Well, I would only tell my colleague that I have studied the history, and I would like to get a little bit of context around those comments.

The rules proposal that the minority leader is opposing is the exact same rules proposal that he actually voted for in 2013 when he was on the Rules Committee and then voted for again when it came to the floor of the Senate. This is not some radical proposal.

In 2013, Democrats found intolerable what was happening with the nomination process, so at the beginning of 2013, they worked with Republicans and said: We need to be able to put a structure in place to get nominations through because a President should be able to have his staff put in place, and there shouldn't be an arbitrary slowdown of that process.

Republicans came on board, even during a very contentious time, because Republicans did not agree with the policies of President Obama. Yet they agreed.

With a vote of 78 total votes, 78 votes on the floor of the Senate, a rule change was made that was proposed by Senator Reid, supported by Senator SCHUMER, and supported by Senator MCCONNELL, to say that this is a rule change that will go into place. It was a very simple rule. The rule was just for nominees.

When nominees come to the floor, the minority can always ask for additional time to debate. Most of the time in the past, they have not, but they could. The time allotted for that purpose is 30 additional hours for debate. The assumption is that it is a controversial nominee when 30 additional hours of debate is required.

The time was lowered in this 2013 rule so that for district court nominees, just 2 hours of debate on the floor is needed because, quite frankly, district court nominees had never been held up on a cloture vote, so 2 hours of extra time. The nominees have already been through the committee process. They have already been approved. Now

they are coming to the floor, and if there is a request for additional time, they would get an additional 2 hours on the floor. For any other nominee, they would get 8 hours of additional time, if they even asked for more time. Supreme Court, circuit court, and Cabinet-level nominees would remain at 30 hours.

That was the agreement that was made and that we functioned under in 2013 and in 2014. Fast-forward to today. A historic new precedent has been set for any President coming in. It was absolutely not done by Republicans in the past, and it was absolutely not done by Democrats in the past, but it is being done now.

Right now, there are 67 judges pending and 139 executive nominees pending—139. In just the past year and a few months, Democrats have requested 85 cloture votes—that is asking for an additional 30 hours of debate time.

They can say: Well, these nominees need to be vetted. These are all nominees who have already gone through the committee process, have already waited in line. There has been a tremendous amount of vetting. Even if this was additional vetting—an additional 30 hours of debate on the floor—for most of these nominees by far, there has been less than an hour of actual debate on the floor for these individuals, but 30 hours has been requested. It is not 30 hours of debate. In fact, just over the past couple of weeks, we have had district court judges, and they have had a demand for a cloture vote on them, and we had less than 15 minutes of additional debate time for those individuals on the floor, but 30 hours had to be allocated. There was less than 15 minutes of actual debate on that person.

This is not about vetting. That is a good line for the media. That is a good line for the base. This is about slowing down the Senate. This is about slowing down the process.

Again, giving a side-by-side, the minority leader said that this is about keeping intact the power of the minority, that the power of the minority needs to be maintained in the Senate. I totally agree. That is why I am trying to work this through a normal rules process—the same rule the minority leader supported on the Rules Committee in 2013 and the same rule he voted for on the floor. The only difference now is that it is not Democrats in power, it is Republicans in power. Republicans joined Democrats in 2013 to be able to put this in place, but for some reason, now that Republicans are in power, Democrats are saying that this is an onerous rule that will take away the power of the minority.

The only real thing that has changed here—other than that now the Republicans are in control rather than Democrats—is one other thing; that is, the nuclear option. When Senator Reid and Senator SCHUMER put in place the nuclear option at the end of 2013, at that time, there were 20 judges pending and

56 executive nominations. But they unilaterally changed the rules of the Senate to be able to drop down nominations from 60 to 51 because they were so frustrated that there were 20 judges pending and 56 executive nominations. May I remind my colleagues that right now there are 67 judges pending and 139 executive nominations pending.

The minority was so frustrated when they were in the majority that they had to go nuclear and unilaterally change the rules in November of 2013, even after Republicans joined them in January of 2013 to change the cloture rules because there were 20 judges pending. Yet now there are 67 judges pending. At that time, there were 56, so they went nuclear on the executive nominations. Now there are 139.

Listen, this is not an argument that I am trying to make based on a partisan issue. I am trying to go back to the agreement that was made in 2013, which was a bipartisan agreement. That worked for that time period. Republicans and Democrats supported it, and it worked. We actually had a process that was in place. I am asking to take that Democrat-written document and say: Let's make that the rule from here on out—not just for this session but from here on out—so that we would have consistency whether Republicans or Democrats are in control.

All I am asking is that Democrats vote again now for the same thing they voted for in 2013 when they asked Republicans to join them; for Democrats to join us and to say: Let's make this the clear rule for everyone. That is the history that I think needs to get into this conversation.

Quite frankly, I am not asking for something radical. I am trying to do a rules change the right way, by the rules as they are written, going through the Rules Committee and having a hearing, which we had in December, having a markup in the Rules Committee, and bringing it to the floor of the Senate and actually implementing a rules change. If there is another proposal we want to consider, I will be glad to have that conversation.

I am not looking to make it contentious; I am trying to actually solve a bad precedent because the precedent that has been set by the minority party right now will be the new precedent when the next President comes. So the next time there is a Democratic President, I can assure my colleagues that Republicans will say: We will just do the same thing the Democrats did to the Republican President—we will do that to the next Democratic President. And year after year, this toxic environment will get worse. The only way to dial back the volume is to actually fix the rules to make sure they stay fair for everyone.

Again, this is not a partisan move for me; this is trying to get the Senate to actually function and work again.

This rule change that was done in 2013—Senator Reid and Senator MCCONNELL came to the floor of the

Senate and had a colloquy, and in that colloquy, Senator Reid said:

It is our expectation that this new process for considering nominations as set out in this order will not be the norm—

That is, asking for additional time for every person—

but that the two leaders will continue to work together to schedule votes on nominees in a timely manner by unanimous consent, except in extraordinary circumstances.

Those were Senator Reid's comments. But now, this has been invoked more than 80 times by the minority just this year. There have not been 80 extraordinary circumstances. Quite frankly, many of these individuals waited out additional time for cloture and then they were confirmed almost unanimously. They weren't controversial; it was about slowing down the Senate.

Let's get this fixed. When the Senate is broken—and it is certainly broken in process right now—the Senators can fix the Senate by fixing our own rules. That is what I am encouraging our body to do. I do understand the history—although the minority leader is right, I wasn't here when the nuclear option was imposed. When Democrats did the historic change to the Senate rules, unilaterally—I wasn't here then. Senator SCHUMER did support that and did make a radical change at that time. I have to read about that history. But I can tell my colleagues that we can fix our future—and not just for Republicans but for the country—if we actually fix this rule change for the future.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 765.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Lt. Gen. Paul M. Nakasone to be General in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., section 601.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Nakasone nomination?

The nomination was confirmed.

EXECUTIVE CALENDAR—Continued

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time on the Duncan nomination expire at 3 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Utah.

NOMINATION OF MIKE POMPEO

Mr. HATCH. Mr. President, as President pro tempore of the U.S. Senate, I ask my colleagues to join us in voting swiftly and unanimously in support of Mike Pompeo's nomination to serve as the next Secretary of State.

Frankly, I am embarrassed by the naked partisanship that was on display during Director Pompeo's confirmation hearing. The Director deserves better than this. That his nomination was nearly sent to the floor without recommendation is an utter disgrace.

This is a graduate of West Point and a man who served our Nation honorably as a cavalry officer in the U.S. Army. This is a talented litigator who graduated from Harvard Law School, where he served as editor of the Harvard Law Review. This is an accomplished businessman, a former Member of Congress, and the current Director of the Central Intelligence Agency. This is a man who is qualified to serve in every respect. Yet some of my colleagues wanted to block Director Pompeo's nomination on the grounds that he supports our President. Give me a break.

To these colleagues, I say: Enough. Enough of the partisan games. Enough of the political grandstanding and self-serving sanctimony.

Delaying this nomination undermines not only the reputation of this esteemed body but the very safety of our Nation. Obstructing Director Pompeo's confirmation would be a significant break from the bipartisan process that has characterized these kinds of nominations in the past and over my past 42 years.

For example, when President Obama nominated Hillary Clinton to serve as Secretary of State, Republicans and Democrats set aside their differences without delay, confirming her nomination almost unanimously with a vote of 94 to 2. Just 4 years later, the Senate did so again when we confirmed John Kerry with a vote of 94 to 3.

As Republicans, did we disagree with Secretary Clinton's and Secretary Kerry's views on a wide range of issues? Absolutely. But did those disagreements prevent us from confirming two preeminently qualified nominees? Absolutely not.

As a case in point, when Secretary Kerry was confirmed in January 2013, the Syrian civil war was raging, and many of us strongly disagreed with the Obama administration's policies in the Middle East. To my frustration and

that of all my Republican colleagues, it seemed that Secretary Kerry's Syria policy differed little from his predecessor's, but rather than turn our dissenting votes into destructive votes, we voted almost unanimously for his confirmation.

There was an understanding at the time that you paid deference to the President's nominees, even if you disagreed with them on certain policies. Today, that custom is under siege. It is under threat. If we are not careful, in the future, then partisanship will surely get the best of all of us.

The partisan abandon with which some approached Director Pompeo's nomination is something that I fear the Founding Fathers would never have imagined, much less condoned. If we continue down this perilous path, a dangerous precedent will take root, making any nomination under any President at any time all but impossible.

Our role as legislators is to challenge the views of our nominees and to hold them accountable. It is not, however, to discredit, defame, and destroy the reputation of a sitting Cabinet official. Nor is it to prevent from serving a man who is so manifestly qualified to serve. To engage in such political games at a time when our Nation faces growing threats abroad is not only irresponsible, but it is dangerous.

So I say to my colleagues one last time: Confirm Director Pompeo.

He has proven himself as Director of the CIA—one of the most demanding, high-pressure jobs in government. He knows the world and its secrets better than virtually anyone. Moreover, he understands the scale of the threats facing the United States. I know that. I think I am still the longest serving member of the Senate Intelligence Committee. Perhaps most importantly, he has earned the love and trust of the people he serves, boosting the morale of the Agency and reinvigorating its sense of purpose and mission. We are in desperate need of someone who can do the same at the State Department.

Already, Director Pompeo has demonstrated he has the diplomatic skill to lead the State Department, setting the stage for negotiations between President Trump and Mr. Kim by establishing a back-channel line of communication with North Korea. He has also helped foster good relations with our foreign partners—a necessary skill for someone serving as our Nation's top diplomat.

Simply put, there is no reason under the Sun that Director Pompeo should not receive every last vote in this Chamber.

The way we treated Director Pompeo by nearly sending him to this floor without a recommendation was shameful. Indeed, the reputation of the Senate would have been tarnished were it not for the last-minute intervention of a few of my colleagues—in particular, Senator CHRIS COONS, for whom I have great admiration. He thinks for himself.

I wanted to recognize Senator COONS today and thank him for his leadership. In a display of both compassion and bipartisanship, Senator COONS switched his "no" vote to "present," ultimately allowing Director Pompeo to secure a favorable recommendation. Senator COONS did so as a gesture to Senator ISAKSON, who could not be present for the vote because he was delivering a eulogy at his best friend's funeral.

This simple act of bipartisanship reminds me of the Senate I used to know—the institution that lived worthy of its name and reputation as the world's greatest deliberative body. Senator COONS' vote brought us back from the precipice overlooking a partisan abyss. It was a timely reminder that this body is at its best when we put comity and respect ahead of partisanship. Senator COONS' gesture was characteristic of the person I know him to be—a class act, a loyal friend, and a true gentleman of the Senate.

May we all take a cue from yesterday's bipartisan display. Our treatment of Director Pompeo in committee was embarrassing, to say the least, but now we have a second chance. Now we have the opportunity to set things right by voting unanimously for his confirmation. I urge all my colleagues to do what is best for the Senate and the Nation by voting in favor of Director Pompeo's nomination.

Let's get rid of this total partisanship around here. I think both sides are to blame, in some respects. I don't mean to just be picking on Democrats here today, but when somebody with the quality of Director Pompeo is seeing this type of treatment on the floor of the U.S. Senate, my gosh, what are we becoming? All I can say is, it is not right.

This is a chance to reform and make it right. I hope we will do that. If we don't, we have to find a way of getting together. We have to find a way of supporting whoever is President, who nominates people who are qualified and who are good people, regardless of whether we agree with them ideologically.

The fact is, this Senate has become a very partisan body. There are times to be partisan. There is no question about that, and all of us have felt those times from time to time. My gosh, should we be this partisan on somebody like Secretary Pompeo, who clearly is one of the finest nominees I have seen in the whole time I have been in the U.S. Senate?

I hope my colleagues on both sides will vote for him and give him the respect, the support, and the help he is going to need in this position. We all know he is going to be confirmed. The question is, Will he be confirmed with the support of all of us Senators who really think of these things and who really care for our country, who really believe in bipartisanship, who really believe that regardless of differences of politics and opinion, class acts like Mr. Pompeo should be supported?

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Michigan.

Mr. PETERS. Mr. President, today the Senate is considering a divisive nominee to sit on the Fifth Circuit Court. It completely baffles me that this administration continues to put forth nominees who are either clearly unqualified or intensely partisan and controversial. This body has historically worked together to confirm consensus nominees to serve on the appellate bench. Unfortunately, that has not been the case over this past year. We have seen contentious nominee after contentious nominee. Unfortunately, the Republican majority has abdicated its responsibility to instead choose a judicial person of integrity who is willing to find common ground.

This afternoon's vote to confirm Stuart Kyle Duncan to the Fifth Circuit Court is a perfect example of a divisive candidate. Mr. Duncan is an extreme nominee. His nomination is a senseless attack on access to healthcare for women, especially women in rural and underserved areas. His nomination is an attack on LGBT civil rights and an attack on free and open access to the ballot for all Americans.

One only needs to look at his record. Mr. Duncan served as lead counsel in *Hobby Lobby v. Burwell*, in which the Supreme Court ruled that a for-profit corporation can have religious beliefs and, therefore, can deny contraceptive coverage as part of their employer-sponsored health insurance plans.

I have said this before, and I will say it again, I have never sat next to a corporation in church. Corporations do not have religious beliefs, and a woman should have access to reproductive health services and the freedom to make her own decisions about her own healthcare.

In addition to his record of hostility to the self-determination of women, Mr. Duncan has an abysmal civil rights record. Mr. Duncan coauthored an amicus brief in opposition to marriage equality when this important issue was before the Supreme Court. In that same vein of discrimination, Mr. Duncan has repeatedly engaged in efforts to suppress the votes of minority voters. He has defended North Carolina voter suppression measures that were ultimately struck down by the Fourth Circuit. The court determined the discriminatory measures "targeted African-Americans with almost surgical precision."

Mr. Duncan's nomination is, frankly, unconscionable. Our court system should be a level playing field, where no matter who you are or where you live, you will receive fair and equal treatment. In contrast to that spirit, this nominee has spent a significant part of the past decade advocating for the denial of rights for women, minorities, and the LGBT community.

I have absolutely no confidence that this nominee will stay true not only to the letter of the law but to the spirit of

the law as well. Our constituents sent us to Washington to look out for the best interests of all Americans. That is why we need to move away from divisive nominees and instead focus on the confirmation of qualified consensus nominees. It is clear Mr. Duncan is out of step with mainstream American values, and I urge my colleagues to join me in opposing his nomination.

I yield the floor.

Mr. DURBIN. Mr. President, I rise in opposition to the nomination of Kyle Duncan to serve on the Fifth Circuit Court of Appeals.

Mr. Duncan's record shows that he is far outside the judicial mainstream. He has a history of ideological opposition to important civil and constitutional rights. There are many examples of Mr. Duncan's extreme views. I will discuss several of them.

First, Mr. Duncan has a track record of outright hostility toward the Supreme Court's *Obergefell* decision and the rights of the LGBTQ community.

When the *Obergefell* case was pending before the Supreme Court, Mr. Duncan wrote an article where he described the plaintiffs in the case as, "profoundly mistaken." He went on to write: "It is often asked by proponents of same sex marriage what harms would flow from judicial recognition of their claims. From the perspective of democratic self-government, those harms would be severe, unavoidable, and irreversible."

After the *Obergefell* plaintiffs won and the Supreme Court recognized the right to same-sex marriage, Mr. Duncan wrote another article where he described the *Obergefell* decision as "an abject failure" and said the case "imperils civic peace."

When he was before the Judiciary Committee, I asked Mr. Duncan in writing if he agreed that same-sex marriage is now settled law. He ducked the question.

This surprised me. Even President Trump conceded in November 2016 that same-sex marriage is "already settled. It's law. It was settled in the Supreme Court," but Mr. Duncan would not acknowledge that point.

I also asked Mr. Duncan in writing if he would pledge not to take steps to undermine the Supreme Court's *Obergefell* decision if he were confirmed. He did not respond to that question either.

Make no mistake, Mr. Duncan's advocacy against LGBTQ rights goes beyond arguments that he advanced on behalf of clients. He has repeatedly advocated against LGBTQ rights when writing in his own personal capacity about his own views.

Mr. Duncan also has a troubling record of hostility to voting rights.

He joined with another extreme Trump judicial nominee, Thomas Farr, to represent the North Carolina Legislature in seeking Supreme Court review of the Fourth Circuit's decision to strike down North Carolina's 2013 voter suppression law.

This is the notorious law that the Fourth Circuit said targeted African-

American voters with "almost surgical precision." The Fourth Circuit decried this law as "the most restrictive voting law North Carolina has seen since the era of Jim Crow."

Mr. Duncan's brief argued that the Fourth Circuit's decision was "an affront to North Carolina's citizens and their elected representatives." Fortunately, the Supreme Court denied Mr. Duncan's cert petition.

Mr. Duncan also wrote a brief defending a Texas voter ID law that the Fifth Circuit ruled had violated the Voting Rights Act. Mr. Duncan's brief cited the specter of voter fraud to support his argument that this law was necessary.

I decided to ask Mr. Duncan a simple question about voter fraud. I asked him in writing what he thought of President Trump's wholly unsubstantiated claim that 3 to 5 million people voted illegally in the 2016 election.

His response? He said "I am constrained by the canons of judicial ethics from commenting on political matters."

Why would we put someone on the Federal bench who thinks a false claim about millions of illegal voters in the 2016 election is a "political matter"? Why couldn't Mr. Duncan bring himself to say that President Trump's statement was blatantly false?

Mr. Duncan's views on voting rights are troubling, so much so that Derrick Johnson, president of the NAACP, sent a letter saying that "President Trump's nomination of Mr. Duncan to the Fifth Circuit is a brazen insult to the civil rights legacy of this court."

There are many other issues where Mr. Duncan has advocated for positions that are far to the right of the center stripe.

In 2014, he gave a speech where he discussed the Supreme Court's right-to-marry cases, including the landmark decision *Loving v. Virginia*, and said to the audience, "Ask yourselves this: do they add up to a right to marry your first cousin? A thirteen year old?"

Mr. Duncan also filed briefs in opposition to the DACA program and the proposed DAPA program, which he claimed "would greatly increase the risk of unauthorized immigrants committing serious crimes." His arguments perpetuated a stereotype of immigrants as criminals that is simply not borne out by evidence.

Mr. Duncan represented Hobby Lobby in its Supreme Court case, where he argued that for-profit corporations have religious rights that permit them to circumvent the law and refuse to provide contraceptive coverage to their employees.

The NAACP has described Mr. Duncan's record on criminal justice issues as "abysmal." They noted his efforts to overturn a wrongful conviction verdict based on prosecutor misconduct, as well as his defense of inhumane conditions in severely overcrowded prisons.

What kind of message does it send when the Republican Party goes out of

its way to nominate people like Mr. Duncan who have expressed such hostile views on issues of fundamental civil rights such as the right to marry and LGBTQ rights?

There are plenty of well-qualified Republican judicial candidates who do not have a track record of taking extreme ideological views. Why choose someone like Mr. Duncan? What kind of signal does that send to litigants who might argue before the Fifth Circuit?

It is possible to find highly qualified, nonideological candidates for the Federal bench, nominees whom both parties can be proud of. We have done that with the two pending Illinois nominees to the Seventh Circuit. I wish that had happened with this Fifth Circuit vacancy, but unfortunately, that is not the case.

I cannot support Mr. Duncan's nomination, and I will vote no.

Mrs. FEINSTEIN. Mr. President, I rise today in opposition to the nomination of Kyle Duncan to a Louisiana seat on the Fifth Circuit.

Mr. Duncan, a Washington, DC, based lawyer, has made a career advocating for ideological causes. He has a long record of arguing to undermine the rights of women, voters, LGBT Americans, and immigrants.

Before I speak more in depth about Mr. Duncan's record, it is important to step back and look at the big picture on President Trump's judicial nominees.

Mr. Duncan's nomination is part of the Trump administration's larger effort to remake Federal circuit courts with young, ideological nominees who are often far outside of the mainstream or, in some cases, who are unqualified.

In just the last 15 months, we have seen a nominee confirmed to the D.C. Circuit who worked in the White House counsel's office on issues likely to go to the court he was appointed to, including on the White House's responses to the Russia investigation.

As one Republican Senator said, this now-judge's "conflict of interest" was something "a first-year law student would see."

We have seen a nominee confirmed to the Sixth Circuit who blogged under a pseudonym and expressed extreme views and relied on rightwing sources known for discredited conspiracy theories. For example, he wrote in a blog post that the "two greatest tragedies in our country are 'slavery and abortion.'"

We have seen a nominee to the Eighth Circuit who was the first judicial nominee to receive a unanimous "not qualified" from the American Bar Association because of concerns about the nominee's judicial temperament and ability to be impartial and still get confirmed on a party-line vote.

Unfortunately, Mr. Duncan is just the latest nominee with a controversial, partisan record that calls into question his ability to be an independent, neutral arbiter appointed to a lifetime position.

We must not allow our courts to be undermined by politics instead of rooted in independence. The courts are a constitutionally created coequal, independent branch designed to be an independent check on Congress and the Executive.

Unfortunately, that independence is under attack.

The President has personally attacked judges who have ruled against him.

He has also repeatedly declared that he has litmus tests for judicial nominees, pledging that he would only nominate individuals who pass ideological litmus tests.

Our system depends on Federal judges who are independent arbiters and follow the facts and the law wherever they lead.

Given this, I have been deeply troubled by efforts to stack our Federal courts by jamming controversial nominees through as quickly as possible. Federal judges serve for life, and it is critically important that parties who come before them are confident that their case is given a fair shot, that it is being evaluated on the merits.

If you look at Mr. Duncan's record, he cannot demonstrate that women, LGBT Americans, and immigrants who appear before him in court would have an impartial arbiter.

That should trouble all senators. I fear Mr. Duncan's confirmation to the Fifth Circuit will further diminish confidence in our judicial system.

Specifically, Mr. Duncan has been at the center of efforts to roll back women's access to basic healthcare.

Mr. Duncan served as one of the lead lawyers for Hobby Lobby in a case challenging the Affordable Care Act's protections for women's access to contraception. Duncan advanced the argument that a corporation's religious beliefs trump a woman's right to contraceptive coverage in her health insurance plan.

More than 99 percent of American women have used contraception; it is more common than a flu shot.

Access to contraception contributes to improved health for women and babies, including reduced rates of prematurity. The expansion of contraception has also strengthened women's financial security by allowing them to plan when to start a family.

Mr. Duncan also argued in favor of a severely restrictive anti-choice law in Texas, which would have closed 75 percent of women's health clinics that offer comprehensive reproductive health services.

While medical experts, including the American College of Obstetricians and Gynecologists, unanimously agreed that these requirements were not needed to protect women's health, Mr. Duncan argued against the science.

Even the conservative Supreme Court rejected Texas's false pretense of protecting women and ruled that this law forced doctors and health centers to meet medically unnecessary requirements.

The Supreme Court held the law did not provide greater protection for women's health and that it was an unconstitutional undue burden on women's reproductive rights.

Mr. Duncan was also at the center of Republican efforts to disenfranchise African-American voters through discriminatory voter ID laws.

After the Fourth Circuit struck down North Carolina's voter ID law, noting that it "targeted African Americans with almost surgical precision," Duncan urged the Supreme Court to reverse that decision.

In his petition to the court, he wrote that, "The Constitution does not allow the sins of Civil Rights-era legislators to be visited on their grandchildren and great-grandchildren."

Shockingly, this statement ignores the persisting racism in this country and argues that the challenges faced by disenfranchised voters are simply a thing of the past.

What is worse, this argument is made about the right to vote. The U.S. Constitution enshrines the right to vote as one of our most foundational rights.

Mr. Duncan has also repeatedly argued against recognizing same-sex couples' right to marry.

When the Supreme Court ruled in favor of marriage equality in *Obergefell*, Mr. Duncan declared the decision "imperial[ed] civic peace."

That is an extreme statement that is simply untrue. Far from imperiling peace, our country has evolved and embraced this ruling peacefully.

I asked Mr. Duncan whether he still believes that this important case has "imperial[ed] civic peace" in the years since it was decided. Mr. Duncan did not disavow his statement and would not answer my question.

Lastly, we are a nation of immigrants. Since its founding, the United States has been built on the backs of people from all over the world coming here to build a better life for themselves and their families.

Less than 2 years ago, in 2016, Duncan argued to the Supreme Court that allowing undocumented parents of U.S. citizen children to live and work would, "exacerbate the problem of violent crime by unauthorized immigrants."

Again, Mr. Duncan makes an assertion with no basis in fact. Rather, research shows that immigrants commit fewer crimes than native born Americans. The conservative Cato Institute found that immigrants have a lower rate of incarceration than native-born Americans.

While I do not expect to agree with the views of all the judicial nominees that come before the Senate, I do expect the nominees to be within the mainstream of legal thought. I do expect the nominees to uphold basic facts, science, and constitutional principles.

I fear that Mr. Duncan's record puts him outside these basic qualifications, and I cannot support his nomination.

Mr. PETERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, it is no secret that powerful interests are working to undermine our government. Giant companies and rightwing billionaires have been pouring unlimited sums of money into making sure our government works for those at the top and leaves everyone else behind, and a key part of their strategy is to capture our courts.

During the Obama administration, those powerful interests and their Republican allies in Congress executed an unprecedented campaign to stop fair-minded, impartial nominees from filling judicial vacancies. Nominees weren't blocked because they were unqualified. They weren't blocked because they were inexperienced. They weren't blocked because they were out of the mainstream. They were blocked for one reason and one reason alone: because they didn't demonstrate a sufficient willingness to bend the law in favor of the rich and the powerful.

With Donald Trump as President, these same interests sense a once-in-a-lifetime opportunity to reshape our courts for years to come, and they are working to stack our courts with narrow-minded elitists and rightwing radicals. Stuart Kyle Duncan—President Trump's nominee to sit on the Fifth Circuit Court of Appeals—is one of those nominees.

Mr. Duncan has spent his career working to restrict—not to expand, but to restrict—civil rights in the United States. Over and over again, he has sought to tilt the scales of justice against women, against LGBTQ Americans, against people of color, and others. Mr. Duncan's record of supporting discrimination and injustice is quite lengthy, so I will focus on just a few of the most disturbing examples. Let's start with his record on women's rights.

Mr. Duncan has worked to make it harder for women to access contraceptive coverage and abortion services. He was the lead attorney for the arts and crafts company Hobby Lobby in the Supreme Court case of *Burwell v. Hobby Lobby*. In that case, he argued that business owners should be allowed to refuse to provide female employees access to contraceptive care based on those employers' religious views.

Mr. Duncan also filed briefs in many other Supreme Court cases, petitioning the Court to restrict women's access to birth control and abortion services, ignoring the fact that access to contraceptive care can help women lead better, healthier, or more financially secure lives. He is the man who is seeking a Federal judgeship.

Let's take a look at his record on LGBTQ rights. Mr. Duncan has complained about what he calls the "general acceptance of homosexuality and homosexual practices" in America, and he has worked very hard to convince courts to adopt his narrow-minded view of the world.

In the landmark Supreme Court case that legalized same-sex marriage nationwide, Mr. Duncan filed briefs, asking the Court to reach the opposite result. After the Supreme Court handed down those historic decisions, Mr. Duncan, who, today, expects to be confirmed as a Federal appellate judge, claimed that the decision would jeopardize civic peace and openly questioned the Supreme Court's legitimacy.

Mr. Duncan also represented the Gloucester County School Board in its effort to deny Gavin Grimm, who is a transgender high school boy, the ability to use the boys' bathroom. He represented North Carolina's General Assembly in a lawsuit that challenged the assembly's bathroom bill banning transgender and gender-nonconforming individuals from using restrooms that are consistent with their gender identities.

In his asking courts to allow government-sanctioned discrimination in these cases, Mr. Duncan has completely ignored scientific evidence and medical expertise. Instead, he has asserted that transgender individuals are mentally ill. In one case, he argued that there was no sound scientific evidence proving that individuals who identify as transgender are not delusional.

In case after case, Mr. Duncan has defended discrimination and injustice.

On voting rights, he defended North Carolina's discriminatory voter ID law that a Federal court concluded targeted African-American voters with almost "surgical precision."

On immigration, he filed briefs that opposed the Deferred Action for Childhood Arrivals Program, DACA Program, which allowed Dreamers to contribute to our schools, our communities, and our economy without their having the constant fear of deportation.

On criminal justice, he fought to block the retroactive application of the Supreme Court's decision that ruled it is unconstitutional to sentence kids to life without parole.

Time and again, Mr. Duncan has been on the wrong side of justice and has worked to undermine the civil rights of groups that have historically faced discrimination.

Federal judges have one job and one job only—to dispense equal justice under law. That means everyone—man or woman, gay or straight, Black or Brown or White—should have confidence that the judges we hand lifetime appointments to will put fairness and fidelity to the law over their personal feelings or political ideologies.

Stuart Kyle Duncan has made it perfectly clear that he cannot and will not

meet that standard. That is why I will be voting to reject Mr. Duncan's nomination, and I urge every Senator who believes in the principle of equal justice under law to do the same.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor to oppose Kyle Duncan's nomination to serve on the Fifth Circuit Court of Appeals.

A review of Mr. Duncan's record—his cases and chosen causes—shows he is a dangerous, ideological nominee who has consistently been on the wrong side of women's rights, LGBTQ rights, and civil rights. Let's start with Mr. Duncan's record that argues against women's rights and reproductive freedom.

When he served as the lead counsel in the infamous Hobby Lobby case, he argued that an employer can interfere with a woman's personal healthcare choices.

In Texas, he filed a brief that was in favor of abortion restrictions that would have shut down the vast majority of clinics in that State—restrictions the Supreme Court, ultimately, ruled an "undue burden" on a woman's constitutional right to a safe, legal abortion.

In my home State of Washington, he filed a brief that argued pharmacies should be allowed to refuse to fill birth control prescriptions for ideological reasons. Fortunately, his views did not prevail.

Then there is Mr. Duncan's long record of opposing LGBTQ rights.

When it comes to the rights of same-sex couples, he argued against two loving parents who wanted to change their baby's birth certificate so they could add him to their insurance plan. He argued for denying a same-sex spouse her parental visiting rights to the children she had raised for 8 years. He also defended bans on same-sex marriages in Louisiana and Virginia.

When the Supreme Court was considering whether to strike down bans on same-sex marriage nationwide, he said the harm of doing this would be "severe, unavoidable, and irreversible," and he filed an amicus brief against it. When the Court then made its historic decision to recognize same-sex marriage as a fundamental right, Mr. Duncan said it "raises questions about the legitimacy of the Court." He said it might "imperil civic peace."

When it comes to the rights of transgender people, he fought for the intolerant, harmful bathroom ban in North Carolina and against Gavin, a young boy in Virginia who simply wanted his school to allow him to use the men's restroom. He did it by using bigoted remarks that were nothing short of appalling.

In defending the outrageous ban in North Carolina, he relied on bogus testimony from a self-proclaimed expert who suggested that transgender people

are delusional. In his opposing Gavin in Virginia, Mr. Duncan advanced the offensive and discredited conspiracy theory that schools need to fear athletes who pretend to be transgender in order to gain a competitive advantage.

Outside of the court, outside of his client work, he has repeatedly addressed an organization that has been designated as a hate group by the Southern Poverty Law Center—an organization that calls marriage equality an “oxymoronic institution if ever there was one.”

There are other red flags about his commitment to defending civil rights.

For example, when the Supreme Court ruled that mandatory life sentences for minors were unconstitutional, he argued the ruling shouldn’t apply retroactively.

He argued that prisons that are packed to double their capacity were not in violation of the Eighth Amendment’s ban on cruel and unusual punishment. The Supreme Court disagreed, noting the problem caused “needless suffering and death.”

In a case involving an innocent man who had spent 14 years on death row—an innocent man—Mr. Duncan argued that the district attorney’s office was not at fault for failing to train a staff member who had withheld evidence.

When it comes to one of the fundamental rights in a democracy—the right to vote, the right of the people to choose their government officials—Mr. Duncan defended a racially tailored voter ID law in North Carolina, which the courts ultimately struck down for targeting African Americans with “almost surgical precision.”

Any one of these cases Mr. Duncan has chosen to take should raise alarm, and any one of the ideological arguments he has made should cause concern. Yet all of them together paint an unmistakable picture of a nominee who would not uphold women’s rights, LGBTQ rights, or civil rights.

To paraphrase one of his own statements, if confirmed, I believe the damage Mr. Duncan will do to people by putting his ideology over their rights will be severe, unavoidable, and irreversible. I oppose his nomination. I urge all of my colleagues to join me.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m.

There being no objection, the Senate, at 12:27 p.m., recessed until 2:15 p.m.

and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today to oppose the nomination of Stuart Kyle Duncan to serve on the Fifth Circuit Court of Appeals.

Our Founders established our court system as an independent arbiter that would protect the rights of every American and ensure equal justice under the law. For us to move forward, our democracy requires an independent and impartial judiciary.

Unfortunately, the Trump administration has focused on nominating individuals to our courts who have extreme partisan agendas that would move us backward. This latest nomination is no different. Mr. Duncan has spent his career working to undermine the progress we have made toward building a more inclusive, more equal United States. Rather than working to include more people in our democracy, Mr. Duncan’s law practice has seemingly been devoted to restricting people’s rights and making life more challenging for some of the most marginalized among us. His dangerous record raises serious doubts about his ability to act impartially on the bench with regard to a number of key issues.

In recent years, our Nation has made significant progress in advancing the rights of our LGBTQ family and friends, built on the principle that all people deserve the right to fully participate in the social, civic, and economic life of our community. At every turn, Mr. Duncan has been on the wrong side of history, working at the forefront in the fight against LGBTQ equality. He has been vehemently opposed to marriage equality, filing a legal brief to the Supreme Court arguing against the decision that was reached in the 2015 *Obergefell v. Hodges* case, later claiming that the decision “raises a question about the legitimacy of the Court.” He has even gone so far as to repeatedly claim that nationwide marriage equality, “imperils civic peace,” a statement that is both ridiculous and offensive.

Mr. Duncan has fought against adoption rights for same-sex parents and has dismissed the real necessity for LGBTQ antidiscrimination laws.

He has been unyielding in his attempts to undermine the rights of transgender individuals. In two major cases involving transgender rights, including the now infamous so-called “bathroom bill” in North Carolina, Mr. Duncan has been the go-to attorney, demeaning transgender people and even describing them as “delusional.” Given his history, I am deeply concerned that Mr. Duncan would be unable to act impartially if a case involving LGBTQ Americans were to come before the Fifth Circuit.

I also have real concerns of Mr. Duncan’s record when it comes to women’s healthcare and their constitutionally protected rights because his record shows that he has been a consistent opponent of reproductive freedom.

Mr. Duncan was the lead counsel in the backward Supreme Court Hobby Lobby decision, which allows employers to deny contraceptive coverage to women. He has long supported efforts to diminish women’s access to their constitutionally protected right to an abortion, arguing in favor of a Texas law in *Whole Woman’s Health v. Hellerstedt* that shut down abortion providers and was eventually rejected by the Court. He even contested the fact that contraceptives can be necessary to protect a woman’s health and has challenged the importance of contraception to a woman’s capacity to compete economically.

Medical professionals prescribe contraceptives to women for a variety of health conditions, including conditions such as ovarian cysts, which can be debilitating and could threaten a woman’s fertility. Moreover, women who use contraceptives to engage in family planning often have better health outcomes, as do their children.

To compete economically on a level playing field, women must be able to make their own decisions about if or when to start a family. Studies have shown that women who have greater access to contraceptive coverage are better able to support themselves and their families and to be full participants not just in our economy but also in our democracy.

Women must be recognized for their capacity to make their own healthcare decisions, just as men are. They must also have the full independence to do so. But it is clear that Mr. Duncan has a fundamental misunderstanding of the importance of reproductive freedom and ensuring that women are treated equally.

On these key issues, Mr. Duncan lacks the impartiality and commitment to equal justice for every American that is needed to serve in a lifetime judicial appointment. This is particularly critical on the Fifth Circuit Court of Appeals, which covers States that lack critical protections for LGBTQ Americans and have a history of passing dangerous laws that have blocked women’s access to healthcare. Marginalized individuals in the States in the Fifth Circuit and all Americans deserve judges who will always use sound judgment and objectivity and not operate with extreme ideological agendas.

I will oppose Mr. Duncan’s nomination to the Fifth Circuit Court of Appeals, and I urge my colleagues to do the same.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I rise to speak in opposition to the nomination of Kyle Duncan to the Fifth Circuit Court of Appeals.

Mr. Duncan has spent large portions of his legal career seeking to suppress the rights of immigrants, minorities, women, and the LGBTQ community. In short, his values are grossly out of touch with a modern and inclusive America.

I can't say I am surprised that Mr. Duncan has been nominated by a President who has called Mexicans racists and drug dealers. President Trump and Mr. Duncan share the same extreme political ideology, especially regarding their view of immigrants. Mr. Duncan, in an amicus brief challenging the Deferred Action for Parents of Americans and Lawful Permanent Residents, wrote that permitting DAPA—the acronym for that program—to go into effect would exacerbate the problem of violent crime by unauthorized immigrants. This position advances the false and offensive narrative that a majority of immigrants are violent criminals. In fact, DAPA was a program that would have allowed the parent of a U.S. citizen or lawful permanent resident who had lived in the United States continuously for years and passed a criminal background check to remain in the United States with legal status and a work permit. This program was never implemented, but it would have kept families together, and to suggest it would have benefited criminals and threatened public safety is just plain wrong. It fits with the Republican Party's misleading and racist attacks on immigrants in this country.

Mr. Duncan makes these arguments despite overwhelming evidence that immigrants commit less crime than native-born Americans, and numerous law enforcement entities have voiced their support for DAPA because the program actually advances public safety by encouraging cooperation and trust between immigrant communities and the police.

A year after voicing his opposition to DAPA, Mr. Duncan submitted another amicus brief. This time he argued against the Deferred Action for Childhood Arrivals, known as DACA, claiming it was unconstitutional. So we know where Mr. Duncan stands in stereotyping immigrants, but Mr. Duncan is not just hostile to immigrants.

He represented North Carolina in its defense of a discriminatory voting law, urging the Supreme Court to hear the case. In the brief, Duncan wrote, "The Constitution does not allow the sins of Civil Rights-era legislators to be visited on their grandchildren and great-grandchildren." Yet the Fourth Circuit Court of Appeals had found that the law was enacted with discriminatory intent and "targeted African Ameri-

cans with almost surgical precision." Mr. Duncan appeared to have clearly missed the point as to who the real victims were.

In another voting rights case, Duncan argued that Texas's restrictive voter ID law helped to "prevent voter fraud." Although this myth has been debunked over and over and over again, the Republican Party, President Trump, and Mr. Duncan continue to perpetuate this lie to the American people in an effort to suppress the voting rights of others.

I would be remiss if I ended these remarks without noting Mr. Duncan's extremely troubling record on reproductive rights and his hostility toward the LGBTQ community. He has continuously fought to restrict women's access to contraceptives. In 2013, he criticized the Affordable Care Act's inclusion of contraceptives as an essential benefit for the health and economic success of society, particularly women.

Given that he holds these views, it seems fitting that Mr. Duncan would serve as the lead counsel in *Hobby Lobby v. Burwell*, in which he argued that corporations have the right to deny contraceptive coverage to their employees. I am sure he was pleased when the Supreme Court agreed with him.

Yet, when the Supreme Court handed down its decision in *Obergefell v. Hodges*, which recognized same-sex marriage as a fundamental right, Duncan said that such a decision "raises a question about the legitimacy of the Court." This comment cuts to the core of my opposition to Mr. Duncan—his disregard and contempt for judicial precedent he disagrees with.

Even before the Supreme Court considered same-sex marriage, Duncan warned that if the courts granted the right to same-sex marriage, then they might have to grant the right to marry a first cousin or a 13-year-old. To clarify, this is a man who believes that the rights of a corporation to deny employees health benefits is perfectly constitutional. Yet granting the right to same-sex marriage will lead us down a road to child marriage.

I know my colleagues are on a furious quest to pack the Federal bench with conservative judges—judges who hold outrageous views, views out of step with the American public. I do not trust, nor does his record suggest, that once Mr. Duncan puts on the judicial robe, he will uphold the rule of law for all Americans and not just those who share his ideological views.

I do not believe he can be an unbiased jurist, and that is exactly why the President nominated him and his supporters will vote for him.

I urge my colleagues to oppose the nomination of Mr. Duncan.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I am here to oppose the nomination of Kyle Duncan to be a judge on the U.S. Circuit Court for the Fifth Circuit. The court of appeals for that circuit and every other in our country is supremely important not only to people who live in its direct jurisdiction but for all people of our country. Courts of appeals make decisions that are binding on district courts in that jurisdiction and also have an impact on other judges and courts throughout the country at every level.

From day one, the Trump administration has made attacking basic civil liberties a guiding principle of the policies it supports, including its judicial nominees. It is inexcusably seeking to turn back the clock on the progress we have made. We fought back hard against these arcane and irrational policies, but President Trump's attempt to stack our courts with extremist judges may, in the end, have the most long-lasting and devastating impact on our Nation. That is why I am here today, with many of my colleagues, to sound the alarm on Kyle Duncan. He has been nominated to this court, but he has made a career of seeking to turn back policies that protect the most vulnerable members of our country.

He is out of mainstream. In fact, he is out of the stream entirely. His views are extreme, fringed, and, collectively, they make him unfit to be a judge on this court that I greatly respect. Out of respect to members of the court, we should confirm someone only if they meet high standards.

Kyle Duncan has attacked the voting rights of minority groups—in one case, even defending a law that a Federal circuit court said targeted African-American voters with "almost surgical precision." He has attacked the rights of same-sex couples, leading several efforts against marriage equality. He has attacked the rights of the transgender community to be safe in their schools and communities. He has attacked protections for Dreamers, making it harder for them to obtain documentation, such as simple driver's licenses.

Over and over, he has attacked women's rights and women's health in a way that I think disqualifies him for this court. Like so many other nominees before him, Kyle Duncan is an anti-choice zealot who has shown time and again that he is more worried about pushing his personal ideology than faithfully upholding the Constitution. His views on women's rights and women's healthcare are more than morally repugnant; they are downright dangerous.

In fact, Kyle Duncan has led the charge in defending unconstitutional and unnecessary laws that target abortion providers, attempting to legislate

them out of existence with little regard for the women who will be harmed as a result. These laws, which have spread around the country at an alarming rate, serve no medical purpose. They put barriers between women and the care they need and deserve. Twice—twice—Mr. Duncan has falsely argued that these restrictions targeting abortion providers in Louisiana and Texas were “medically reasonable” and based on “solid medical ground.” These laws were rightly struck down both times. Indeed, these laws are the opposite of medically reasonable. In no way are they based on medical ground. With this nominee’s enthusiastic support, these unconstitutional State-level restrictions have proliferated, shutting down women’s healthcare providers, delaying much needed care, and putting women’s health at risk.

Kyle Duncan’s peddling of misinformation as a lawyer fighting for these unnecessary and unconstitutional abortion laws is frightening enough. Imagine what he could do on the bench.

He has fought to undo historic healthcare victories provided by the Affordable Care Act’s birth control mandate. As we know in this Chamber—and I think we need to acknowledge—this mandate has made a difference in the lives of an astonishing 64.2 million women who were able to access birth control with no out-of-pocket costs in the last year alone. This has given women greater power over their health, their well-being, their futures, their reproductive decisions, and their finances.

Yet Mr. DUNCAN has attacked the birth control mandate repeatedly. He sought to leave a woman’s right to access affordable healthcare to the whims of her employer. Worse, he has absurdly denied that contraception is healthcare at all and has said the idea of contraception as a right is “disturbing.” It is a constitutional right. To him, it is disturbing. What kind of a judge will he be?

Despite what Kyle Duncan believes, birth control is healthcare. A woman’s access to it is a right, and his false, ideologically driven assaults are wrong.

I will oppose Kyle Duncan’s nomination to the Fifth Circuit Court of Appeals, and I urge my colleagues to do the same.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I be allowed to complete my brief remarks before we vote on the nomination of Mr. Duncan.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Thank you.

Mr. President, in a few minutes, we are going to vote on the nomination of Mr. Kyle Duncan for a position on the U.S. Court of Appeals for the Fifth Circuit.

Mr. Duncan was nominated by President Trump. He has been vetted—examined, if you will—extensively by the White House. He has been vetted—examined, if you will—extensively the Department of Justice. He has been vetted by the FBI. He has been vetted by the American Bar Association, and he has been vetted by the Senate’s Judiciary Committee. All of those entities have found that he is qualified—indeed, more than qualified—to sit on the U.S. Court of Appeals for the Fifth Circuit.

If you look at his resume and his experience, you will understand why. Mr. Duncan clerked for the Honorable John Duhe on the U.S. Court of Appeals for the Fifth Circuit. As you know, Federal clerkships are highly coveted, but judges generally pick the top students and the top members of their class. Mr. Duncan was picked.

He has an LL.M. from the Columbia University School of Law, one of the finest law schools in the world. Mr. Duncan is an honors graduate of LSU Law School and an honors graduate with a B.A. degree from Louisiana State University as well.

He has argued over 30 cases in Federal and State appellate courts. Some lawyers never argue a single one. He has briefed, prepared, and argued some 30 cases.

He served in the office of the attorney general in the State of Louisiana as appellate chief. He has represented my State in many high-profile cases, and he also has experience as an assistant solicitor general in the attorney general’s office in Texas.

Those who know Kyle and who have participated in the vetting process know that he is articulate, a careful thinker, and has a deep understanding of the importance of the separation of powers, and for that reason, he has been supported by a bipartisan group of both current and former lawyers.

I do not recognize the Kyle Duncan being described by some of my colleagues. I say this with all due respect. I think some of my colleagues, in criticizing Mr. Duncan, are confusing the role of the lawyer and the client.

I used to practice law. When a client came to me and said “Kennedy, I need you to represent me,” I did what they asked in that particular lawsuit. If his position was lawful, I would say: OK, tell me what your problem is and what your arguments are, and I will look at it from my standpoint and maybe supply some additional arguments under the law. But when my client described to me his problem and his analysis of it, I can’t remember a single time when I said: Oh, jeez, I don’t agree with you. I don’t like your politics. I just don’t agree with your position. I could have, but that was not my role as a lawyer. So long as what my client was proposing was legal, my role as their lawyer was that they were entitled to legal representation. My role was not to substitute my judgment for theirs.

I have listened to my colleagues’ criticism of Mr. Duncan. They don’t

know what his beliefs are, with all due respect. They have said: Well, in this case, he said that, and in this case he said that, and in this case over here, he said that, as though it was his point of view. They were his clients’ points of view.

Mr. Duncan has developed an expertise in constitutional law. He is a senior partner in a boutique firm. That means, of course, as you know, a smaller firm that has a specialty here in Washington, DC. Clients from all over the country and from all over the world come to him with constitutional law problems, and they ask him to litigate. They ask him to espouse their point of view—not Mr. Duncan’s point of view, but the client’s point of view. It is just not fair, it seems to me, to criticize a lawyer for doing what he is bound by our code of ethics and, indeed, the law to do.

If I didn’t think Kyle Duncan would call the balls and the strikes based on the rule of law that we cherish in America, I wouldn’t be standing here today, but he will. I would respectfully suggest that all of my colleagues put aside the politics, put aside whether they like President Trump, and look at this man for himself. What they will see is a very qualified, very successful lawyer who worships the rule of law and who will apply the law as this Congress and the U.S. Supreme Court have dictated.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. DAINES). Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Duncan nomination?

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

The PRESIDING OFFICER (Mr. FLAKE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 82 Ex.]

YEAS—50

Alexander	Enzi	Kennedy
Barrasso	Ernst	Lankford
Blunt	Fischer	Lee
Boozman	Flake	Manchin
Burr	Gardner	McConnell
Capito	Graham	Moran
Cassidy	Grassley	Murkowski
Collins	Hatch	Perdue
Corker	Heller	Portman
Cornyn	Hoeven	Risch
Cotton	Hyde-Smith	Roberts
Crapo	Inhofe	Rounds
Cruz	Isakson	Rubio
Daines	Johnson	Sasse

Scott
Shelby
Sullivan

Thune
Tillis
Toomey

Wicker
Young

EXECUTIVE SESSION

NAYS—47

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Cardin
Carper
Casey
Coons
Cortez Masto
Donnelly
Durbin
Feinstein
Gillibrand
Harris

Hassan
Heinrich
Heitkamp
Hirono
Jones
Kaine
King
Klobuchar
Leahy
Markey
McCaskill
Menendez
Merkley
Murphy
Murray
Nelson

Peters
Reed
Sanders
Schatz
Schumer
Shaheen
Smith
Stabenow
Tester
Udall
Van Hollen
Warner
Warren
Whitehouse
Wyden

NOT VOTING—3

Duckworth McCain Paul

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 788, Mike Pompeo.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Mike Pompeo, of Kansas, to be Secretary of State.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Mike Pompeo, of Kansas, to be Secretary of State.

Mitch McConnell, Orrin G. Hatch, Todd Young, John Cornyn, Bill Cassidy, John Boozman, Deb Fischer, David Perdue, James Lankford, Roger F. Wicker, John Thune, Tom Cotton, Mike Rounds, Roy Blunt, James M. Inhofe, Thom Tillis, Bob Corker.

LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 619, Richard Grenell.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Richard Grenell, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Richard Grenell, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Germany.

Mitch McConnell, Cory Gardner, Orrin G. Hatch, Tom Cotton, James Lankford, Steve Daines, Roy Blunt, Mike Crapo, Johnny Isakson, John Thune, Thom Tillis, James M. Inhofe, Pat Roberts, Lindsey Graham, James E. Risch, John Hoeven, John Boozman.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that with respect to the Dunkin nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

TAX REFORM

Mr. THUNE. Mr. President, I was reading a piece in the Wall Street Journal last week by Kevin Hassett, who was the Chairman of the White House Council of Economic Advisers. His piece made an important point that doesn't often come out as clearly as it

should, and that is that when American businesses benefit, American workers benefit. My friends on the other side of the aisle like to obfuscate that point.

Presumably they think they can gain political points by pitting businesses and workers against each other, as if benefits for businesses and benefits for workers were somehow diametrically opposed and as if, somehow, workers could thrive while businesses struggle.

As the piece I was reading pointed out, "In a modern competitive economy, workers do well when their employers do." If you think about it, it really is just common sense. The vast majority of working Americans work for businesses, whether they are self-employed, an employee of a small business, or an employee of a large corporation. For those employees to thrive, the businesses they are working for have to thrive as well.

Struggling businesses do not invest in workers; they can't. They don't hire new employees. They don't raise wages. They don't improve benefits.

On the other hand, thriving businesses do invest in their workers, they do hire new employees, they do raise wages, and they do improve benefits. Leaving aside the fact that most business owners want to invest in their workers, successful business owners have to invest in their workers if they want their businesses to keep thriving.

For starters, successful businesses tend to need new workers, and the way to attract new workers is with good wages, good opportunities, and good benefits. Once a successful business has good employees, it tends to want to keep them so that the business can keep prospering and thriving. How do businesses keep employees? The same way they attract them in the first place—with good wages, good opportunities, and good benefits.

As Mr. Hassett notes in the Wall Street Journal:

Research by economists Alan Krueger and Lawrence Summers, both of whom served in the Obama administration, shows that more-profitable employers pay higher wages. Any company that attempts to pay a worker less than he is worth will quickly lose that worker to a competitor. Thus, firms that want to thrive must invest in their plants and their workers.

Ask any business owner in the country, and he or she will tell you that it is a competitive labor market. Unemployment is at a 17-year low. In a tight, competitive labor market, employers have to work to keep their employees.

Our focus with last fall's tax reform was on making life better for ordinary Americans, so we set out to put more money in their pockets right away by cutting tax rates across the board, nearly doubling the standard deduction and doubling the child tax credit. As a result, for 2018, a family of four making \$73,000 will see a tax cut of more than \$2,000.

We knew the tax cuts, as helpful as they are, weren't enough. Americans also needed access to profitable careers, good jobs, good wages, and good

opportunities. We knew the only way to guarantee access to good jobs, good wages, and good opportunities was to make sure businesses were prosperous enough to create and maintain them. So when it came time for tax reform, we set out to improve the playing field for American workers by improving the playing field for businesses, as well, and it is working.

Companies are putting tax reform to work. They are investing in new equipment, expanding their facilities, and growing their lines of business, all of which mean more jobs and opportunities for Americans.

Most importantly, companies are passing along the benefits of tax reform. Company after company has announced pay raises, bonuses, 401(k) match increases, and other benefits for their workers. Others are passing tax savings on to their customers in the form of things like utility rate cuts.

The tax reform law has been in place only for 4 months. As businesses continue to see the benefits of tax reform, we can expect to see the playing field for workers continue to improve.

Ultimately, by helping American businesses thrive, tax reform will help give more Americans access to the kinds of jobs, wages, and opportunities that not only will benefit them right now but also will give them access to security and prosperity for the long term.

NOMINATION OF MIKE POMPEO

Mr. President, before I close, I would like to take a couple of minutes to discuss the nomination of Mike Pompeo to be Secretary of State.

I don't need to tell anyone how incredibly qualified he is for this job: first in his class at West Point; 5 years of Active-Duty service in the Army, achieving the rank of captain; editor of the Harvard Law Review; elected to Congress four times by Kansas's Fourth Congressional District, serving on the House Intelligence Committee; and, finally, Director of the Central Intelligence Agency. Clearly, he has proved his dedication as a public servant and is an outstanding candidate for Secretary of State.

His nomination should be sailing through the Senate, and normally it would be. Prior to this Presidency, we were on a pretty bipartisan track for Secretary of State confirmations. Members of both parties believed it was important that a President have a national security team to support him, and they voted accordingly. John Kerry was confirmed as Secretary of State by a vote of 94 to 3. Hillary Clinton was confirmed as Secretary of State by a vote of 94 to 2. Condoleezza Rice was confirmed as Secretary of State by a vote of 85 to 13, and Colin Powell was confirmed as Secretary of State unanimously.

This doesn't mean that Republicans agreed with all of John Kerry's or Hillary Clinton's policies or that the Democrats agreed with all of Condoleezza Rice's or Colin Powell's

policies. But Members of both parties recognized that these nominees were qualified, and they believed that partisanship shouldn't play a role when it came to making sure the President had a national security team to support him.

Fast forward to today. Gone is the bipartisanship of the past. Today, Democrats are obstructing an entirely and eminently qualified candidate for Secretary of State for the sole reason that they don't like this President. They didn't get their way in the last election, and, in response, they have spent the last year or more obstructing one qualified nominee after another.

I get that the Democrats don't like President Trump, but when you are a Member of the U.S. Senate, you have to think beyond your own preferences and accept the fact that in a free country with free elections, sometimes you don't get your way.

Obstructing nominees has consequences. At the very least, delaying a President's ability to staff his administration diminishes his ability to serve the American people effectively, but that is not all. Obstructing certain nominees, such as a nominee for Secretary of State, can have consequences for our national security and diplomacy. An incomplete national security team is a detriment to the safety and security of our country.

Right now, the United States and our allies are currently facing a number of serious challenges from North Korea and an increasingly emboldened Iran to chemical attacks in Syria and the ever-present threat of terrorists. It is vital that the President have a fully equipped national security team to monitor and address these dangers. It is beyond irresponsible that Senate Democrats are compromising the President's ability to respond to threats simply because they prefer not to confirm anyone he has nominated.

Democrats should immediately drop their obstruction of Mike Pompeo and confirm him as Secretary of State, and they should stop obstructing other qualified national security nominees, such as Andrea Thompson, a native of my home State of South Dakota, who has been nominated as Under Secretary of State for Arms Control and International Security Affairs.

You would think Democrats would be content with their unprecedented obstruction of the President's nominees, but, unfortunately, there is another thing the Democrats are obstructing right now, and that is the Coast Guard reauthorization bill.

Once again, it is clear that Democrats are obstructing not because they have serious objections to the bill but because obstruction has become their default response to legislation in the Republican-led Congress.

Democrats claim that the Coast Guard reauthorization bill has not received sufficient input or debate, and that could not be further from the truth. A portion of the bill they are os-

tensibly concerned about is the Vessel Incidental Discharge Act, or VIDA. It has been introduced in the last five Congresses, and more than one of those times it was introduced by Democrats.

The current version of the bill is the product of not just months but years of hearings, meetings, and negotiations. Despite the fact that this year's original version of VIDA had bipartisan support, we made a number of further concessions to address concerns that have been raised by Democratic Senators, but they just keep moving the goal posts. It has become pretty clear that Democrats' real objection is not to the bill itself but to working with Republicans or to seeing the President accomplish anything.

I hardly need to say the Coast Guard reauthorization bill is an important bill. It authorizes the Coast Guard's funding, as well as pay and benefits for Coast Guard personnel, who play a vital role in maintaining national security and law and order in the waters around the United States.

It would be nice if Democrats would consider dropping their partisan objections and working with Republicans to pass this essential piece of legislation and working with us to help get confirmed particularly critical national security nominees at a time when we face an array of threats across the entire planet.

Nominees like the Secretary of State, particularly well-qualified ones, are not to be trifled with. It is not a time to play politics when you are dealing with America's vital national security interests.

I hope that this Chamber, this body, will return to the tradition we have had in past administrations in which we have approved Secretaries of State, as I said earlier, by votes of 94 to 3, 94 to 2, 85 to 13, and unanimously. Those were the last four Secretaries of State. This has turned into a partisan game, if you will, at a time when our country really can't afford for us to play partisan games.

I hope when this vote comes up later this week, we will have a big bipartisan vote, consistent with our history and consistent with the fact that when you have a qualified nominee for an important position like this, this Senate comes together, takes very seriously its constitutional role in the confirmation process, and has that vote—hopefully, a big bipartisan vote in support of Mike Pompeo.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

NORTH KOREA

Mr. FLAKE. Mr. President, I have been pleased to hear about the progress in the planned negotiations with North Korea over their nuclear program. I was glad to hear of Director Pompeo's successful visit to North Korea, and I, as much as anyone in this body, wishes the administration success in these talks and negotiations. Given the history of broken promises, I have my

doubts as to whether the North Korean regime has any genuine interest or willingness to denuclearize, but even a freeze will be welcome.

However, I am concerned about the language used by the President today when discussing the North Korean regime. To say that Kim Jong Un has been “very open” or “very honorable,” as the President did, surpasses understanding. If this description of one of the world’s strongman dictators were a singular event, a one-off statement, it could perhaps be excused as an aberration, but, unfortunately, it is not. It is part of a larger pattern of excusing dictatorial behavior that we should not countenance.

We need not sacrifice the truth and reject objective reality in pursuit of our goals. We cannot pretend that the Kim Jong Un of today is somehow different from the authoritarian dictator who has ruled over one of the most violent and repressive regimes on Earth.

I am happy to hear that the North Korean Government is apparently engaging as an honest broker in the process of arranging these talks, but I believe that how the President of the United States describes world leaders matters. For the President to describe a leader who stands credibly accused of starving his own people, violently executing his political opponents, and murdering members of his own family as “very open” and “very honorable” is beyond comprehension. Furthermore, it undermines the moral authority we have long possessed on the world stage.

The President himself has previously declared Kim Jong Un as “obviously a madman who doesn’t mind starving or killing his own people.” The President has also repeatedly and correctly referred to the North Korean regime’s violent torture of Otto Warmbier as “horrible.” The pursuit of these negotiations does not require that we surrender the values we stand for as a nation.

We cannot pretend the atrocities of the Northern Korean regime are a thing of the past. We need to enter these negotiations with our eyes wide open. We must understand and recognize who it is we are sitting across the table from. Only then do I believe we will actually succeed in these negotiations and emerge from this planned summit with the result we all seek—a safer world.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DARK MONEY

Ms. CORTEZ MASTO. Mr. President, there is an old saying that “there is no such thing as a free lunch,” but what about other things? What about free

Spanish language driver’s education classes? What about free backpacks, notebooks, pencils, and school supplies in the month before school starts? What about free financial wellness workshops, free turkeys in the week before Thanksgiving?

These things are all given away at events hosted by the LIBRE Initiative—a self-described grassroots organization dedicated to a “free and open society.” The events were held in Latino communities throughout the country, including Las Vegas, Miami, and Orlando.

People attending these events were asked to fill out a questionnaire. Questions included:

“Are you more likely to vote for a Republican or a Democrat in the 2016 election?”

“Do you feel the government should increase or decrease Federal spending in order to improve the economy?”

“What is your name, email address, and telephone number?”

People actually had to hand over their personal data in exchange for the free stuff. So the stuff wasn’t really free after all—but close enough, right?

Well, in a career spent as a prosecutor, I have learned one thing: Always follow the money. If you follow the money just one step back, you learn that LIBRE is a shell organization funded by Charles and David Koch, two of the most powerful men in American politics. Charles and David Koch are the owners of Koch Industries, a massive energy company that manufactures, distributes, and refines petroleum. Koch Industries is one of the largest privately held companies in the Nation, with estimated annual revenues of over \$100 billion.

What does all this mean? It means the Koch brothers are two very rich men, and there is nothing wrong with that. What is wrong is the way the Koch brothers use their money to hijack our democracy for their own benefit.

The Koch brothers are self-described radicals who believe the government should play no role in Americans’ lives. The Koch brothers believe in a world with no Medicare, no Social Security, no Federal minimum wage, no public programs that support families when they fall on hard times, and no rules preventing Koch Industries from polluting our air, drinking water, or our public lands.

The Koch brothers hate environmental regulations because Koch Industries is one of the top 10 worst polluters in the United States. Fewer environmental regulations mean the Koch brothers can obtain bigger financial gains.

To keep their empire afloat, the Koch brothers are not just polluting our environment, they are polluting our political system, and they are polluting our airways with false advertising.

The Kochs want Americans to believe climate change is a conspiracy, despite the global scientific consensus that cli-

mate change is caused by burning fossil fuels. Why would they want to cast doubt on scientific fact? Because the Koch brothers sell and burn fossil fuels for a living, and they believe protecting our environment is bad for their bottom line.

To protect their bottom line, the Kochs funnel money through a network of nonprofit organizations, foundations, and shell companies. These companies lobby the government, produce fake research reports, and run ad campaigns to manipulate and deceive the American people.

Buying a democracy does not come cheap, but the Koch brothers are not stingy. In 2010, the year Citizens United opened the floodgates for big money in politics, the Kochs spent \$125 million to support Republican candidates who pledged to roll back environmental and consumer protections.

Since the 2010 elections, their influence has grown. They have spent hundreds of millions of dollars supporting candidates who spread lies that climate change is a conspiracy, that immigrants cause crime, and that more money in the Koch brothers’ pocket means more money in yours.

Now, the Koch brothers have big plans for the upcoming 2018 election. They have announced they will spend \$400 million in the upcoming election cycle—their largest midterm election investment yet. Much of that money will be spent directly targeting Latinos through advertisements, events, and workshops.

The Koch brothers think they can buy the Latino vote, just like they bought the votes of the House Freedom Caucus and so many other Republican politicians, but despite what their ads say, the Koch brothers are not advocates for the Latino community. They are advocates for more money in their own pockets, nothing more.

The Koch brothers have supported some of the most anti-immigrant politicians in America, including LOUIE GOHMERT, Mike Pompeo, STEVE KING, Russell Pearce, and Kris Kobach. These are the men responsible for policies like Trump’s Muslim ban and Arizona’s anti-immigrant law, SB 1070.

The Koch brothers support politicians who want to end government funding for Planned Parenthood. If they get their way, Latinas would be hurt the most. More than 23 percent of Planned Parenthood patients are Latinas.

Latinas are more likely to be diagnosed with cervical cancer than women in any other racial or ethnic group. Planned Parenthood gives them access to annual screenings so they can stay healthy and cancer-free.

The Koch brothers support school choice, which they say gives Latino families more freedom in how they educate their kids, but school choice vouchers take money out of the public school system, causing many Latino kids whose parents can’t afford private schools to fall behind.

The Koch brothers are close allies of Betsy DeVos, our current Education Secretary. Her claim to fame is her role in dragging Michigan's public education system to the bottom of national rankings and leaving thousands of students without access to a quality education.

To make matters worse, the Kochs are working to undermine access to health insurance for working people. Latinos are less likely to have health insurance than any other racial or ethnic group. Without health insurance, a trip to the ER can result in a bill so expensive that a family can't pay their rent for months.

Organizations like LIBRE will tell you their agenda is designed to promote freedom and self-sufficiency. They put out propaganda implying that Democrats don't believe in freedom because we believe government has a role in protecting access to affordable healthcare, clean water, air, and quality schools. The Koch brothers love freedom, but their freedom is to pollute our rivers, streams, and our air.

Democrats believe in a different kind of freedom—the freedom to breathe clean air and drink clean water, the freedom to walk away from a trip to the ER without a medical bill that costs more than what you make in a year, and the freedom to walk into Planned Parenthood and walk out with information you need to make your own reproductive choices.

We don't believe in the kind of freedom that allows Charles and David Koch to pull the strings of our democracy. How can anyone call that freedom at all?

What the Koch brothers and their web of dark money organizations like LIBRE are really doing is deceiving Latinos and supporting the very same politicians who are working against Latino families.

So, this year, as the Koch brothers are pulling out their checkbooks to fund their disinformation campaign, follow the money. Follow the money to find out who is paying for that glossy ad you see on TV. Follow the money that flows through LIBRE and other Koch-backed organizations to politicians who vote against immigrants, Dreamers, and refugees.

The Koch brothers have spent millions of dollars funding Tea Party candidates in Congress—the main obstacles to immigration reform. What good are school supplies and driver's education classes and free health checkups if parents of American citizens are getting deported, if schools in our communities are being gutted, and if community health clinics are closing their doors?

The Latino community in Nevada, and in communities of color across America, are strong, resilient, and diverse. We will not be fooled by false advertising.

So many of our family members came to this country because they knew what it was like to live under the

rule of oligarchs and elites. They came here because they wanted to have the freedom to pursue their dreams.

Charles and David Koch want to buy Latino votes, buy our voices, and buy our democracy, which folks like my dad Manny Cortez worked all of their lives to protect.

But I believe in the wisdom of the American people. I believe in the wisdom of our voters who will fight the lies, just as they did in Nevada 2 years ago. I have seen the Kochs' power and influence firsthand. They spent \$10 million trying to defeat me in 2016. They threw millions into LIBRE to buy off Latino voters in Nevada. But they failed because Democrats in Congress continued to beat the drum and make voters aware of the lies, and I will keep fighting to do the same in the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, I wish to take a moment to thank Senator WHITEHOUSE for his bold leadership and continuing the fight to rid our political system of dark money.

All across our country, teachers are taking to the streets to demand what no teacher should ever have to ask for: fair pay and decent benefits. In State after State, education has been cut to the bone. They have even cut the bone. Kids are crammed into overcrowded classrooms. They are handed tattered textbooks. Their teachers are paid so little that some qualify for food stamps. In fact, salaries are so low in some States that teachers are working two, three, and sometimes four jobs just to make ends meet.

Many people don't know this, but teachers have always had a very special place in my heart. As a little girl growing up in Oklahoma, there was one person I admired more than anyone else in the world—my second grade teacher, Mrs. Lee. I will never forget the day that Mrs. Lee took me aside and explained that if I worked hard, I could become a teacher too. Those words changed my life. Today, I am the daughter of a maintenance man, who became a teacher, a professor, and a U.S. Senator because America invested in teachers like Mrs. Lee, and that meant investing in the thousands of students she reached through the years. I am grateful to that America. I believe in that America. But I will be honest—I am scared to death that our children and grandchildren may never know that America.

Right now, in one of the richest nations on the planet, American teachers are getting crushed. I want to tell you about one of those teachers—Jonathan Moy, or Mr. Moy, as his students call

him. He is a teacher in Oklahoma. Every week, Mr. Moy juggles six jobs in addition to teaching. Mr. Moy coaches two sports teams, drives for Uber and Lyft, drives a schoolbus, and umpires a Little League team so that he can provide for his two daughters.

Sadly, Mr. Moy's story is becoming all too common. According to one estimate, teachers are five times more likely than other workers to have a second job. No wonder teachers are taking to the streets in West Virginia, Oklahoma, Kentucky, and Arizona. They have had enough.

I am standing shoulder to shoulder with teachers across the country because they deserve better, because our children deserve better, and because investment in teachers is an investment in our kids and ultimately an investment in our future. Like many of my colleagues in this Chamber and fellow Democrats across the country, I am in this fight for the long haul, but if we are to be successful, if we ever hope we can prevail, we should be clear-eyed about what it is that we are up against.

The perilous state of affairs for education funding in our States is not the simple result of a bunch of legislatures who, after listening to their constituents, decided against supporting public education. No, the movement of teacher protests sweeping the country has revealed corruption—corruption that Republican-controlled States have been sweeping under the rug for decades.

The steep cuts to education are the product of an all-out assault on our teachers and our schools that has been launched by a handful of billionaires. One of the principal tools rich and powerful people use is dark money. They have created an invasive enemy that slithers out of sight, with only a glimpse here or there, but make no mistake—this dark money has helped shape the anti-teacher, anti-worker agenda that undermines our democracy.

For decades, billionaires have been pouring unlimited, secret money into the hands of carefully picked candidates who will do their bidding. We often talk about the influence dark money has right here in Washington, but the truth is, the real battle is being fought at the State and local level.

Consider the State Policy Network, SPN. It is an umbrella alliance of over 60 member organizations covering nearly every State in the United States. Their member organizations hide behind deceptively apolitical names, such as the Platte Institute for Economic Research or the Thomas Jefferson Institute for Public Policy. These organizations are anything but apolitical; these groups are the propaganda arm of rightwing billionaires. The State Policy Network, for example, is bankrolled by the Koch brothers through organizations like DonorsTrust, one of the Kochs' favorite investment arms. In 2016 alone, DonorsTrust made \$20.3 million in

grants to State Policy Network members.

In addition to affiliates, the State Policy Network has over 80 associate members. It is a who's who of right-wing Koch-funded groups, such as the Americans for Prosperity Foundation, the Americans for Tax Reform Foundation, the Cato Institute, and the Heritage Foundation. Their funders also include an array of the biggest and most powerful corporations, including tobacco giant Philip Morris, food giant Kraft, and pharma giant GlaxoSmithKline.

The goal of the State Policy Network and its myriad affiliates is to trick the public into thinking they are genuine, unbiased think tanks researching public policy issues—think that, instead of rightwing, billionaire-funded groups dedicated to hijacking every legislature in America and passing laws that work for their corporations while they leave everyone else behind.

With friends like the aggressively anti-union Koch brothers, it should come as no surprise that one of the State Policy Network's top priorities is dismantling public sector unions. In a 2016 fundraising letter, the State Policy Network stated that its goal was to "defund and defang" government unions, and it bragged about the work of its affiliates to supply "intellectual ammunition" to weaken unions in States across the country. It touted its work in West Virginia, Indiana, Michigan, and Wisconsin, in shepherding passage of laws that make it harder for unions to collect union dues that cover the costs of collective bargaining.

Although it focuses on State policy, the State Policy Network's agenda can have nationwide effects. Just look at the Supreme Court case *Janus v. AFSCME*, which will determine whether public sector unions that represent teachers, nurses, firefighters, and police officers in States and cities around this country will actually be able to collect fees from workplaces they represent—fees that allow them to negotiate for better pay, better wages, and better working conditions. The Illinois Policy Institute, a State Policy Network affiliate, works closely with the groups pushing the Court to cut off unions' funding and force them to represent workers who do not pay dues.

The State Policy Network's attack on the workers is just one prong of a much larger campaign to hand government over to the rich and powerful. As one of the many tentacles of the Koch network, the State Policy Network also works to gut environmental protections that prevent big corporations from poisoning our water, our food, and our air. It works to dismantle Medicaid and other healthcare protections that provide vulnerable, low-income individuals with basic healthcare. It works to slash income and other State taxes that provide critical funds for basic government services. It works to weaken public pensions that provide government workers with financial security and retirement.

Billionaires and special interests are conspiring to buy our political system. We cannot allow this to happen. That is why I am proud to join my colleagues in support of bills like the DISCLOSE Act to shine a light on the dark web of billionaires who have their hands tightly gripped around the neck of our democracy. Our government should belong to the people, not to wealthy special interests.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARKEY. Mr. President, borrowing from a phrase from Senator WHITEHOUSE of Rhode Island, "It is time to wake up to the threat of climate change." We must open our eyes to the insidious web of deceit that the Koch brothers, in alliance with the Trump Administration, are weaving to promote an anti-science, anti-consumer, and anti-renewable energy agenda. This web of deceit is something that the Koch brothers are proud of.

Just last week, they bragged to donors in a report that they were responsible for President Trump's policies: repealing the Clean Power Plan, check; attacking public lands, check; attempting to gut bedrock environmental laws for infrastructure projects, check; leaving the Paris climate accord, check; tax giveaways to Big Oil and other fossil fuel corporations, check-plus.

The first year of the Trump Administration has been a Koch brothers wish list, and they are popping their champagne bottles all the way to the bank. In fact, the various front groups and trade organizations that pushed President Trump to exit the Paris climate accord accepted almost \$7 million from the Koch brothers directly. Those groups took millions more from other anti-climate groups, which were also funded by the Koch brothers. It is a tangled web they weave with their money. That is what the Koch brothers have bought—a network of individuals, shady front groups, and partisan organizations whose sole purpose is to undermine the policies that protect Americans and the planet from climate change.

Like a real spider web, it is hard to see this web of deceit unless the light catches it in just the right way. I am going to shine a light on a few threads of this web tonight, the threads that make up the effort to undermine the scientific consensus on climate change: the Koch brothers and their CO₂ Coalition. One of these threads is the CO₂ Coalition. This group, founded in 2015 with the remains of the defunct George C. Marshall Institute, pushed a single mantra: "Carbon dioxide, a nutrient vital for life."

The CO₂ Coalition started where the George C. Marshall Institute, another Koch-backed front group, left off—disseminating disinformation, particularly around global warming.

Total funding from the Koch-related foundations for the CO₂ Coalition is more than \$650,000 since 2004. In addition to the Kochs, the billionaire conservative Mercer family also gave the CO₂ Coalition \$150,000 in 2016. And that is just what we know of.

For those not familiar, the board of the CO₂ Coalition includes the controversial physicist William Happer, who has testified in front of Congress multiple times to push climate denialism and the self-serving interest of the fossil fuel industry and the Koch brothers.

When I was chairman of the House Select Committee for Energy Independence and Global Warming, Dr. Happer advocated in testimony for the government to support an "alternative hypothesis," which amounted to denial of climate change. This "alternative hypothesis" was the grandfather of another familiar term, the Trump Administration's so-called alternative facts—"alternative hypothesis."

During those years that I was the chairman of the Select Committee for Energy Independence and Global Warming and the Subcommittee on Energy and the Environment of the Energy and Commerce Committee, I conducted nearly 100 hearings. They went on for hours and hours. We are talking of 200, 300 hours of hearings where we were able to hear these crackpot theories that were enunciated and debunked at that time. Despite his views on climate science being routinely debunked, including what happened in my hearing back then, Dr. Happer continues to be called as an "expert witness" by Republicans in Congress. From this platform, he spreads doubt and misinformation about climate change. He has called carbon dioxide "a benefit to the Earth," an absurd assertion that is in complete contrast to the findings of the EPA and the vast majority of climate scientists. That is because in its materials, the CO₂ Coalition states that it has the express purpose of "educating thought leaders, policy makers, and the public about the important contribution made by carbon dioxide to our lives and the economy."

In reality, the CO₂ Coalition writes articles, produces videos, and uses this content to spread lies about climate change through social media. They seek not to inform but to deform consensus scientific views at the bidding of their fossil fuel funders, the Koch brothers.

Here is some information about carbon dioxide that the CO₂ Coalition fails to mention in its love letter to fossil fuels. Every ton of carbon we emit costs us \$36—that is the social cost of carbon—the cost to all of us of emitting an extra ton of carbon dioxide into the atmosphere.

That carbon pollution is endangering human health, and it costs us money as a society to treat the damage it does to the health of our planet and the people who live on the planet. Carbon pollution is not a vital nutrient for life, as the CO₂ Coalition asserts. It is a dangerous pollutant for our society when it is inside of our atmosphere at dangerous levels—at dangerous levels. The CO₂ Coalition is certainly not the only fossil fuel supported group that is weaving this web of deceit. Especially when it comes to talking about the importance of the “free market,” fossil fuel-funded climate deniers often have selective memory loss.

The Lexington Institute, which has received funding from fossil fuel companies like ExxonMobil, insists that renewables can’t compete in the free market with fossil fuels without Federal subsidies. That assumes that the fossil fuel industry has succeeded in the free market all on its own. It has not. Adam Smith is spinning in his grave, wondering how the fossil fuel industry gets such subsidies. As a matter of fact, he is spinning so fast that he would qualify for a subsidy under the tax policies, which Republicans put in place.

Federal subsidies for the fossil fuel industry are more than 100 years old and account for nearly \$15 billion each year. Subsidizing an oil company to drill oil or a coal company to mine is like paying a fish to swim or a bird to fly. You don’t have to do it. The tax breaks for the oil and gas industries are permanent pieces of the Tax Code. These payouts automatically continue year after year—forever, into infinity. They never decrease. They never go away. That is certainly not the case for renewable energy industries, like solar and wind. These industries have had to endure the uncertainty of not knowing if their tax breaks will expire. Now tax breaks for wind are scheduled to end completely next year. That will never happen to a fossil fuel break. The tax breaks for solar will end in 2021, but for the fossil fuel industry, those tax breaks will never come off the books because they fight against special tax breaks for wind and solar. Oh, my goodness. Who would want to help them? In fact, in its taking \$15 billion a year every year for 100 years and 100 more years into infinity—completely distorting the free market with the support of fossil fuel companies like ExxonMobil—the Lexington Institute is spinning its strand of the web of deceit by trying to stop a renewables revolution.

The Koch brothers and their fossil fuel allies aren’t doing this alone. They have found their most ardent ally in their campaign to attack climate science in President Donald Trump. Throughout the Trump administration, there has been a concerted effort to deny, to delay, and to defund the science of climate change in an unprecedented way. Just look at the President’s Big Oil all-star Cabinet. At one

point, we had former Exxon CEO Rex Tillerson as Secretary of State. We still have former Governor of oil-rich Texas Rick Perry at the Department of Energy. Oklahoma’s oil oligarch Scott Pruitt is heading the Environmental Protection Agency. All of these oil allies have voiced doubts about the existence of climate change and the role of humans in causing it, but no one is doing more to help anchor the various strands of the web of deceit on climate science in the Trump administration than the EPA’s Scott Pruitt.

Mr. Pruitt announced today a new proposed rule purporting to “strengthen transparency and validity in regulatory science.” What exactly does this new secret science rule really mean? The proposal would actually do the opposite of what its name suggests. This proposal would actually restrict the use of scientific research that EPA officials can use in crafting new regulations under the guise of so-called transparency. The Trump administration would allow the EPA to consider research studies for which the underlying data are publicly available. What this proposed change would really do is effectively block the Agency from relying on longstanding, important studies like those that link lead exposure to devastating neurological damage.

Scott Pruitt, at the behest of Big Oil and interests like the Koch brothers, wants to deny EPA scientists access to critical information in order to shield polluters, such as coal and chemical companies. Today, as Pruitt ceremoniously announced his new rule, he was accompanied by—wait for it—William Happer of the CO₂ Coalition. The web of deceit is very real. No matter what Scott Pruitt tries to undo at the EPA, no matter what science President Trump tries to deny through the Federal Government, no matter what groups the Koch brothers try to fund, the truth is all too clear. Climate change is happening now.

Last year, we experienced a record \$16 billion in storms—extreme weather events—and climate-related disasters. It was more than in any year in recorded history. Hurricanes ravaged Texas, Florida, Puerto Rico. The recovery from Hurricane Harvey alone is projected to cost \$180 billion. That is the damage even as the Republicans fight to take the wind and solar tax breaks off the books. This year, in Massachusetts, we already experienced four Northeasters before the end of March. Three of those storms cost more than \$1 billion. That is the earliest in any year ever recorded that we have experienced three storms with this magnitude of devastation. The cost of these storms speaks for itself. We simply can’t afford to deny the impacts and reality of climate change anymore.

Our greatest weapon in fighting deceit and tearing down this web is sunlight—the sunlight of truth and the sunlight that is fueling the solar revolution. It is a clean energy revolution that is fueling blue-collar job creation

and our economy, and it is happening all across this country and around the globe. Renewable energy is the greatest force for blue-collar job creation in the history of the United States.

Right now, wind and solar are generating 7 to 8 percent of the electricity we consume every day in the United States. Right now, we have more than 90,000 megawatts of wind. We have more than 50,000 megawatts of solar installed in the United States. By 2020, we are projected to have 120,000 megawatts of wind. We will have more than 90,000 megawatts of solar. Solar is projected to add an additional 35,000 combined megawatts in 2021 and 2022. That means, by the end of 2022, we could have over 250,000 megawatts of wind and solar installed in the United States.

You can see what is happening now with wind and solar after it had been, essentially, stopped by the fossil fuel industry for 100 years. This could have happened 50 years ago. This could have happened 100 years ago. Yet now, finally, because of Democratic policies, we have been able to finally unleash this revolution.

What is accompanying that wind and solar revolution? It is jobs, blue-collar jobs. We now have 350,000 Americans who are working in wind and solar. By 2020, we are going to have 500,000 workers in wind and solar. The majority of our solar jobs—137,000—is of electricians. There are roofers doing the installation. There are 38,000 jobs in manufacturing. These are good blue-collar jobs. There are 25,000 of our wind jobs in manufacturing while 35,000 are in construction, development, and transportation. These are good-paying, blue-collar jobs.

Why is this renewable revolution unstoppable? Why is this job creation that is good for all of creation unstoppable? It is because the cost of renewables is plummeting. The cost of solar has fallen 50 to 60 percent over the last 5 to 6 years. The cost of wind has fallen 66 percent since 2009. In fact, wind and solar are generally cheaper than coal and nuclear energy are right now. Coal is losing the war against wind and solar in the free market. It is not a conspiracy against coal. It is competition for coal that has finally emerged. That is what is happening. Coal is losing in the marketplace.

This is not just happening in the United States. It is happening around the entire world. Mexico had a power auction at the end of November at which the average price for solar was 1.9 cents per kilowatt hour. In 2017, solar in Saudi Arabia came in at 1.8 cents per kilowatt hour. In Dubai, it was 2.4 cents per kilowatt hour. Half of all electricity installed around the world last year was renewable. Renewable energy deployment around the world has increased by 8 percent a year for 7 years in a row.

This is a global clean energy race, and it is a global job creation race. The Koch brothers and their fossil fuel allies want to take the United States of

America out of this revolution. Global temperatures are rising, but the cost of renewables is plummeting. There is no denying the science of climate change or the mathematics behind the renewable revolution.

For decades, the Koch brothers have perpetrated a fraud on the American people about climate change. They have worked to discredit science in order to sow doubt. They are funding a web of deceit that spreads misinformation and undermines the urgency needed to address the generational challenge of climate change. We must fight back with education, with urgency, with facts, and, ultimately, with action.

That is why, this week, I am introducing, with my colleagues here in the Senate and in the House, the Climate Change Education Act. This legislation would promote climate literacy by broadening students' understanding of climate change, the consequences of climate change, and the potential solutions. This bill would give students, teachers, and families the tools they need to protect our planet for future generations. We must take the climate deniers and their fossil fuel funders to task for their opposition to the clean energy opportunities that could win the battle against climate change.

We have a chance to unleash a clean energy revolution that creates jobs as it cuts dangerous carbon pollution. We are on the floor today to cut down this tangled web of deceit—to shine a light on the lies that emanate from this Koch brothers-funded web of deceit that has tried its best to stop this clean energy revolution.

As you can see, this revolution has taken off in the United States as it has taken off around the rest of the planet, and it will not be denied. The green generation, the young generation in our country, will not be denied. They want to see a wind and solar and all-electric vehicle revolution take place that will change the course of history. That is why we are out here today—to let the rest of the world know we are in this fight, and we are going to win it.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from New Mexico. Mr. UDALL. Mr. President, I will focus, as Senator MARKEY has and several of my colleagues before me, on this web of deceit we have been talking about here today—the Koch brothers' web of dark money, lobbyists, and infiltration into the Trump administration that truly threatens our democracy. The influence of their hundreds of millions of dollars is pervasive, pernicious, and hidden.

I applaud Senator WHITEHOUSE's work that focuses the public's attention on this threat. Thank you to my colleagues for shining a spotlight on the murky tentacles of the Koch influence empire here in Washington, especially its influence on the swamp that is the Trump administration. We must keep fighting for comprehensive cam-

paign finance and electoral reform to get dark money like the Koch brothers' out of our politics.

The Koch family business started in oil, and Koch Industries is still heavily invested in petroleum and petroleum products. Its subsidiary, Flint Hills Resources, owns three oil refineries. The Koch Pipeline Company owns and operates 4,000 miles of pipeline that transports oil, refined petroleum, and natural gas throughout six States. Koch Industries is the largest foreign and American leaseholder in Canada's oil sands, possibly leasing up to 2 million acres.

As well, each year, Koch Industries markets, trades, and manages logistics for tons of coal and petroleum coke. Koch Industries makes billions from oil, gas, and coal, and it is no secret it is willing to spend millions to keep it that way. Two organizations formed through the Koch brothers' vast wealth are the Institute for Energy Research and its lobbying arm, the American Energy Alliance. Both Koch-funded groups are anti-renewable, pro-fossil fuel, and climate change deniers.

The Institute is a 501(c)(3) organization that was formed in 1989 from a predecessor directed by Charles Koch and Robert Bradley, Jr. Mr. Bradley led public policy for Enron before its scandal and bankruptcy. He founded the Institute and remains its CEO. He is also affiliated with the Koch-funded Cato Institute and Competitive Enterprise Institute.

The Alliance is the Institute's political arm, a 501(c)(4) organization, founded in 2008. The 501(c)(4)s are political organizations. They don't have to disclose their donors. They can engage in all sorts of politicking and lobbying, and they can spend unlimited amounts of money. The Alliance shares office space and staff—including a president—with the Institute. Their joint president is Thomas Pyle, who had previously lobbied for Koch Industries. They receive funding directly and not so directly from the Koch brothers. Since 2008, one or the other has received funding from the Charles Koch Institute, an anti-government group formed from the Charles G. Koch Charitable Foundation; Freedom Partners, called the Koch brothers' "secret" bank—a 501(c)(6) organization that gives tens of millions of dollars to extreme causes; the Wellspring Committee, Inc., funded with the Koch brothers' help; DonorsTrust, a pass-through organization for the Koch brothers and other ultrawealthy donors trying to hide contributions; and many other like-minded anti-renewable, pro-fossil fuel groups that the Koch brothers fund or are tied to.

Between 2010 and 2014, the Institute and Alliance received more than \$5 million in Koch-related funding. The Institute and Alliance are in the business of discrediting renewable energy, promoting fossil fuels, and denying climate science under the guise of providing independent analysis. Their

staffs have appeared before State regulatory commissions giving "expert" testimony, claiming that renewable energy is too expensive and unreliable and that States should not increase their renewable portfolio requirements and that fossil fuels—even coal—are more economical.

In 2013, for example, their director of regulatory and State affairs, Daniel Simmons, claimed in a Michigan regulatory hearing that the electricity rates of States with renewable requirements are 27 percent higher than States without a renewable standard. That same year, Lawrence Berkeley National Laboratory found that the incremental rate of renewable portfolio standards was 2 percent, and a report by the Michigan Public Service Commission found that the cost of renewable sources is declining and is cheaper than the new coal-fired generation.

Also in 2013, Mr. Simmons attacked a Federal clean energy standard bill introduced by my fellow New Mexican, Senator Jeff Bingaman, which I cosponsored. Mr. Simmons had the audacity to claim that carbon dioxide emissions from powerplants should not be counted as pollutants, arguing "that carbon dioxide itself is not dirty." Mr. Simmons' cynical attack on climate science is frightening.

In 2015, the Alliance called on Congress to eliminate the Department of Energy's Office of Energy Efficiency & Renewable Energy. The office's mission is to support transitioning to "a global clean energy economy," something that we know is supported by many, many people. That year, both Koch brothers' organizations received \$3 million from the web of Koch donors.

Although the Institute and Alliance were fringe, the Trump administration placed their staff in key energy positions, beginning with appointing their president to lead the energy transition team. Before that appointment, Mr. Pyle had sent a fundraising letter touting the new administration's positions. He predicted the Trump administration would withdraw from the Paris Agreement, repeal the Clean Power Plan, move forward with the Keystone XL Pipeline, increase oil and gas leasing on Federal lands, lift the moratorium on coal leasing on Federal lands, and turn back protection of our rivers and streams—among other initiatives. Mr. Pyle's policy predictions have sadly come to pass.

My home State of New Mexico is right in the bull's-eye of climate change. Snowpack was at a low point this year. Parts of the Rio Grande are dry. We have a methane cloud in the Four Corners area the size of Delaware. Pressing "stop" on tackling climate change hurts New Mexicans.

Meanwhile, Institute/Alliance staff landed three plum positions within the Department of Energy. Last May, Mr. Simmons, whom we have already heard about, was actually placed to lead the DOE's Office of Energy Efficiency & Renewable Energy—the same office the

Alliance advocated to eliminate. Talk about the fox guarding the chicken coop.

An Institute/Alliance policy analyst, Alex Fitzsimmons, was also placed in the same office as a senior adviser. He has steadily beat the Koch brothers' drum against wind and solar energy, writing numerous articles about their alleged unreliability and high costs. How can he possibly contribute to the office's mission of transitioning to a clean energy economy?

Predictably, the President proposed slashing the office's budget for 2018 by 69 percent. Congress did not do his bidding. He now seeks to cut over 70 percent of its budget in 2019, including fully eliminating the Weatherization Assistance Program and the State Energy Program. According to DOE, since 2010, New Mexico has received \$10.4 million from these two programs. These investments resulted in weatherizing 1,300 homes, creating or retaining 340 jobs, training 19,500 New Mexicans in energy efficiency, and retrofitting 240,000 square feet of building space. These two programs aid my State in the global battle against climate change and should not be on the chopping block.

Another Institute/Alliance policy analyst, Travis Fisher, was tapped by DOE to oversee an evaluation on whether renewables are hurting coal and nuclear power and increasing grid unreliability. Mr. Fisher had also authored many pieces on the evils of renewables—even calling clean energy policies “the single greatest emerging threat” to the power grid. There was wide concern the report would be politically skewed.

However, a draft of the report, prepared by an independent contractor and DOE career staff, got out. That draft concluded renewable energy had not decreased grid reliability. The final report then concluded the same. Mr. Fisher has since left DOE.

The good news is that the American people continue to support renewable energy. A Pew Research Center poll found 83 percent of Americans think expanding renewables is a “top” or “important” national priority.

Wind and solar are expanding exponentially and their costs have decreased dramatically. Twenty-nine States, Washington, DC, and three territories have renewable portfolio standards, and eight States and one territory have renewable goals.

A clean energy economy is the future, but the Trump administration is fighting against the tide. Before the Trump administration, the Institute and Alliance were small fringe organizations promoted by the Koch brothers' web of secret organizations and veiled allies. They now sit at the center of our government.

At the bottom of the Koch labyrinth of 501(c)(3)s, 501(c)(4)s, 501(c)(6)s, and their wealth of accomplices is their ability to hide their contributions and actions from public view. The Supreme

Court's Citizens United decision cloaks these networks under the guise of the First Amendment. Citizens United has damaged our democracy by allowing unlimited campaign contributions, PACs, and nonprofit organizations to secretly influence government decisions at the highest levels.

I have been fighting to overturn Citizens United and for Congress to enact campaign finance reform for years now. My constitutional amendment would not only overturn Citizens United but all the previous bad decisions going back to *Buckley v. Valeo*. It would end the misguided belief that spending money to elect politicians is the same thing as free speech—a belief that gives the Koch brothers a lot more speech than the average American.

Last fall, I reintroduced the We the People Democracy Reform Act, which would enact comprehensive electoral reform. The dark influence of the Koch brothers in this administration only underscores the pressing need for this legislation to right our democracy and restore integrity, accountability, and transparency to our political system.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I come to the Senate this evening to talk about the nominees who will be up for a confirmation vote.

The first of those is Ric Grenell. Ric is being nominated to serve as our Ambassador to Germany during an important time, not just with the danger and volatility around the world but with our relationship with Germany. Ric is well qualified, and I think it is urgent that we get him confirmed.

Ric Grenell was actually nominated last fall. He was reported out of the Foreign Relations Committee with a positive vote on October 26, 2017. So for 6 months, he has been in limbo, even after getting reported out of committee. He has been blocked by just a couple of Democrats—I think maybe just one—and this body has not had a chance to vote on him.

That is why I was pleased to see today that the majority leader filed cloture, and that is why we will get a vote this week on Mr. Grenell. I assume that he will get supported by a majority of this body, but I hope it is not just a bare majority because I think he is very qualified for the position.

He is someone who has a lot of experience in diplomacy and international issues. In 2001, he was appointed by President George W. Bush to serve as Director of Communications and Public Diplomacy for the U.S. Permanent Representative to the United Nations. In this role, he advised four of our Ambassadors—John Negroponte, John Danforth, John Bolton, and Ambassador Khalilzad—on the formulation and articulation of U.S. policy at the United Nations. He was also appointed by John Danforth to be the Alternative Representative of the United States to

the U.N. Security Council with full voting rights and privileges. He served as spokesman there during a turbulent time, an important time. But he also did more than that. He was appointed to be a U.S. delegate to a variety of United Nations conferences over the years, including the Financing for Development Conference, the World Food Summit, the World Summit on Sustainable Development, the Iraq Donor Conference, the Preparatory Committee for the Nuclear Non-Proliferation Treaty Review, the High-Level Meeting on Ending HIV/AIDS, and the Commission on Population and Development, among many others.

He has moderated a lot of United Nations panel discussions over the years on subjects ranging from Children and Armed Conflict to post-war construction issues, clean energy solutions that my colleague was talking about a moment ago. He is up to speed on the world's pressing issues, so he is very well qualified to be an Ambassador representing the United States.

He has also been an active speaker, speaking on topics around the country that relate to crisis communications, the United Nations, and international issues ranging from Sudan to North Korea and Middle Eastern issues.

He has been on a lot of TV programs. This is one reason he has generated some controversy on the other side. Yes, he has spoken his mind on occasion, but he is also someone, again, if you look at his qualifications and experience and his abilities—as he did for President George W. Bush—to be a team player and work with the team to communicate clearly, he is an excellent candidate to be a U.S. Ambassador to just about anywhere but particularly to a country as important as Germany.

He received his master's degree in public administration from Harvard University's John F. Kennedy School of Government.

Finally, I would say the timing is really important. One reason it is key that we vote this week is that we need an Ambassador to Germany.

Over the Easter break I was in Germany. I was meeting with our troops over there on a factfinding mission. We have a lot of American troops in Germany still. We were looking at some of the weapons systems that have been developed in my home State of Ohio and how they are working. The people I talked to—our U.S. military officers but also German officials and others—were saying that it is important to have American leadership in Germany right now with all that is going on, with what is happening in Ukraine—Germany is a key player in keeping the European Union together—what is happening in the Middle East, where they play an important role, and what is happening in terms of our economy and trade issues. I heard from everyone: Why don't you send an ambassador over here? So it is time we do it.

Finally, there is a particular urgency this week, because Chancellor Merkel

is actually coming for a visit to Washington later this week. I think she will be here on Friday at the White House in meetings, and wouldn't it be great if we were to confirm this qualified Ambassador to represent our interests in Germany and to begin the process of improving our relationship with Germany and deepening that relationship.

I hope we have the opportunity to have this vote in the next couple of days, and I urge my colleagues on both sides of the aisle to take a look at Ric Grenell's background. I don't think you will find one of the Ambassadors who is a noncareer Foreign Service person to be a better person on some of these tough foreign policy issues, and I think he will do an excellent job for us in Germany.

NOMINATION OF MIKE POMPEO

Mr. President, the second nominee I would like to talk about briefly is one who has also faced some opposition from the other side of the aisle, to the point that he was reported out of committee last night on a pure party-line vote—an 11-to-10 vote. I wish that weren't the case. I want to thank Senator COONS for actually voting "present" so that Senator ISAKSON's vote could count.

I think Mike Pompeo, who is the current Director of the Central Intelligence Agency, is extremely well qualified.

When you look at what has happened historically with regard to the job of Secretary of State, this body has been able to support people who they may not agree with on every policy issue or may not agree with the President who appointed that person, but they realize that a President should be able to have his or her own person—particularly in that job—be the Secretary of State, be the diplomat to the United States around the world. As a result, with regard to Senator Kerry, who was a colleague of ours here, when he was up for his confirmation vote, the vote was 94 Senators out of 100 supporting him. With regard to Secretary Clinton, when she was nominated, she was confirmed by a vote of 94 Senators—94 out of 100 voted for her. That has been more or less typical. Colin Powell actually was confirmed by a unanimous vote of this body after he became the nominee for Secretary of State. Condoleezza Rice got an overwhelming majority; I think it was in the mideighties.

I would hope that my colleagues on both sides of the aisle would look at Mr. Pompeo's background and his qualifications. I don't think they can dispute the fact that he is qualified for this job.

This is a man who has been successful in everything he has done. From humble beginnings, he went to West Point. He graduated at the top of his class. Then, as an Army officer, he was in Germany before the wall came down. He was an officer in Germany patrolling the Iron Curtain. He then went to law school after having served in the military. He went to Harvard Law

School and ended up being an editor of the Harvard Law Review and graduated magna cum laude from Harvard Law School. That is pretty impressive. It is hard to do.

He then went into business. He was successful there, including businesses that had to do with national security issues.

He then ran for the House of Representatives and was elected. He was on the Intelligence Committee in the House, and so he has the ability to get well-versed on a lot of the classified information needed to be able to understand the danger and volatility we face in this world today. He is well-regarded in the House on both sides of the aisle.

He was then nominated by the President to serve as CIA Director. By the way, he was confirmed by this same body as CIA Director by a vote of 66 Senators, so it was a nice bipartisan majority. I hope that happens again.

Again, I think it is very important that we get a Secretary of State in place at this critical time but also that we get one in place who is shown to have some of the momentum, trust, and confidence of this body. Certainly the President has a lot of confidence in him, or he wouldn't have nominated him for this additional responsibility.

As CIA Director, he has become well-versed on all the issues. One issue I will mention that you have heard about recently is that he recently went on a secret mission to meet with the dictator of North Korea, Kim Jong Un, and he did that at the behest of the President to help prepare for a successful meeting between the President and the North Koreans. We all hope that meeting is indeed constructive and ends up making progress on the denuclearization—which all of us hope for—of the Korean Peninsula. You need somebody like Mike Pompeo there to help direct that. So I think it is the right time for him to move forward on a number of issues, and that certainly is one.

Another issue I will say I am very interested in working with him on is what is happening in Eastern Europe and Central Europe—the destabilizing effect that Russia is having with regard to what is called the hybrid war—in other words, disinformation and propaganda—and also the military part of this, which is happening on the eastern border of Ukraine.

Russia, as you recall, took Crimea away from Ukraine. In my discussions with Mike Pompeo, he understands that issue and he gets that issue. He has supported providing weapons to Ukrainians so they can defend themselves, lethal but defensive weapons. That was a big change from the last administration and, frankly, from the first year of this administration. It happened recently. Those materials are now being delivered, and the Ukrainians—having been there over the Easter break—are feeling a renewed sense of support from their Western allies, particularly from the United

States. I think Mike Pompeo is the right guy to be there with regard to that issue also.

I have taken the leadership role on this issue of pushing back against the disinformation, including the meddling in our own election here, which I believe happened and I believe will happen again unless we are smarter about pushing back. That is why I have joined with my colleagues—Senator MURPHY on the other side of the aisle and others—to promote this idea of a center at the State Department that coordinates all the U.S. Government efforts here, which are needed, and particularly focuses on the online effort and the need for us to be more aggressive and robust in our response. It is called the Global Engagement Center. Again, I have had the opportunity to speak with Mr. Pompeo privately but also in public testimony about this issue, and he has expressed his strong support for that Global Engagement Center and for having a more effective and robust response.

I think Mike Pompeo is the right person at the right time. I think he is qualified for this job as well as anyone out there I can imagine. Again, in talking to my colleagues, some of them have said that they disagree with President Trump's positions and that is why they are opposing Mr. Pompeo. Their favorite person—who would probably be in the other party and have different views—is not going to be nominated by President Trump. President Trump is going to nominate somebody who supports him on most of his basic approach to foreign policy and someone he trusts. That is just how it works.

Again, when we supported John Kerry with 94 votes in the Senate—I think it was 94, 95, or something like that—it is not that we agreed with all the policies from President Obama; it is that we believed President Obama should have the right to have a Secretary of State who he thought was going to best represent him, and we thought that Senator Kerry was qualified. I think the same was true with regard to Hillary Clinton, who got 94 votes. The same was true with Condoleezza Rice. The same was true with GEN Colin Powell. And the same should be true here because certainly Mike Pompeo is extremely well qualified.

The other thing I have heard from my colleagues—and I have talked to a number of them on the committee and off the committee about seeing if they could possibly join us in supporting Mr. Pompeo so he can have a little more of a bipartisan momentum here as he goes into this job—the other thing I have heard is that they are concerned, given his background in the military and given some of the things he said as a Member of Congress, that maybe he will focus more on military power rather than soft power—in other words, less on diplomacy and more on kinetic or military activity.

I don't think that is consistent with anything I have heard from him either

in our private meetings or in his public testimony where he addressed this issue head-on. He said that as a former Army officer and someone who went to West Point and graduated at the top of his class—did I say that earlier? Anyway, he went to West Point, and he is someone who actually believes very strongly in soft power and believes that military actions ought to be the last resort, not the first resort. I think that is true with almost anybody who has been in the military—certainly people who have been in combat. I made the comparison to what Colin Powell said when he was nominated, which was very similar to that. What General Mattis says today is very similar to that.

I believe Mike Pompeo has the opportunity not only to help with regard to these crisis issues we are facing around the world—North Korea, Syria, what is happening in Iran, what is happening in Ukraine—I think he is someone who has the ability to improve the morale at the State Department at a critical time. In fact, I am convinced of it. Having talked to some people at the State Department—as you know, many of the career civil service people have been feeling as though they weren't being consulted. Mike Pompeo is a listener, and he has talked about what he did at the CIA. He talked about the fact that God gave us only one mouth but two ears. In other words, we are supposed to be listening and taking in the input and then helping to lead as a servant leader listening to people. I think that is the kind of leader Mike Pompeo is.

My hope is that he will be confirmed and that he will earn the trust some of us have shown in him by doing exactly that at the State Department—getting the diplomats in the State Department engaged and empowered, making sure that we are taking every step possible with regard to diplomacy before turning to military action anywhere in the world, and working with our military and with the White House and with the Congress to have a U.S. foreign policy that is effective in keeping the peace.

Yes, we need a strong military because by having a strong military, by having a strong defense, we maximize the chance for peace, but we also have to have a strong diplomacy arm that is out there ensuring that we take every measure we possibly can to use soft diplomacy. I think diplomacy is something that Mike Pompeo has shown that he is committed to.

So my hope is that we will have positive votes on Rick Grenell as Ambassador to Germany and Mike Pompeo later this week, that we can have bipartisan support for these two, and that they, in turn, will earn the trust this body has shown in them.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-14, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of the Netherlands for defense articles and services estimated to cost \$110 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,
(For Charles W. Hooper, Lieutenant
General, USA Director).

Enclosures.

TRANSMITTAL NO. 18-14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Government of the Netherlands.

(ii) Total Estimated Value:
Major Defense Equipment* \$0.5 million.
Other \$109.5 million.

Total \$110.0 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of the Netherlands has requested to buy defense articles and services in support of continuation of a Continental United States (CONUS) based Royal Netherlands Air Force F-16 Formal Training Unit.

Major Defense Equipment (MDE):

Up to twenty-seven (27) GBU-12 Inert Paveway IIs.

Non-MDE: Also included are PGU-27 Inert training rounds, Impulse Cartridges, MJU-7/B Flares, RR-188 Chaff, BDU-33/B and BDU-50/B training munitions, fuel and air refueling support, airlift services, base operating support, facilities, publications and technical documentation, pilot training, personnel training and training equipment, weapon system and software support, U.S. Government and contractor technical, engineering, and logistics personnel services, and other related elements of logistics and program support.

(iv) Military Department: Air Force (NE-D-NZW).

(v) Prior Related Cases, if any: NE-D-NXZ-\$149.3 million; 19 Sep 13.

(vi) Sales Commission, Fee, etc.; Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 24, 2018.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Netherlands—F-16 Formal Training Unit at Tucson Air National Guard Base (ANGB), Arizona

The Government of the Netherlands has requested to buy defense articles and services in support of continuation of a Continental United States (CONUS) based Royal Netherlands Air Force F-16 Formal Training Unit, to include up to twenty-seven (27) GBU-12 Inert Paveway IIs. Also included are PGU-27 Inert training rounds, Impulse Cartridges, MJU-7/B Flares, RR-188 Chaff, BDU-33/B and BDU-50/B training munitions, fuel and air refueling support, airlift services, base operating support, facilities, publications and technical documentation, pilot training, personnel training and training equipment, weapon system and software support, U.S. Government and contractor technical, engineering, and logistics personnel services, and other related elements of logistics and program support. The estimated program value is \$110 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a NATO Ally which is an important force for political stability and economic progress in Europe.

This potential sale will continue to improve the Royal Netherlands Air Force's (RNLAf) ability to develop mission-ready and experienced pilots to support its F-16 aircraft inventory. The well-established pilot proficiency training program at Tucson Air National Guard Base will train pilots in F-16 operations, tactics, techniques, and procedures. This training will enhance the RNLAf's ability to continue contributions to Overseas Contingency Operations and to NATO air policing operations, as well as, to possible future coalitions operations. The Netherlands will have no difficulty absorbing this training.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

There is no prime contractor involved in this proposed sale. The Tucson Air National Guard will provide instruction, flight operations, and maintenance support and facilities with defense articles anticipated to come from U.S. stocks, as needed. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to the Netherlands.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-12, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Netherlands for defense articles and services estimated to cost \$70 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,
(For Charles W. Hooper,
Lieutenant General, USA, Director).

Enclosures.

TRANSMITTAL NO. 18-12

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of the Netherlands

(ii) Total Estimated Value:

Major Defense Equipment * \$60 million.

Other \$10 million.

Total \$70 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Three thousand five hundred (3,500) M1156 Precision Guided Kit (PGK).

Non-MDE: Also included are six (6) PGK settable trainers; two (2) PGK cut away models; one hundred (100) M76 PGK fuze wrenches; ten (10) Extended Length Artillery Projectile Extractors (ELAPEs); PGK technical data and publications; U.S. Government engineering and technical support services; and other related elements of logistics and program support.

(iv) Military Department: Army (NE-B-WKA).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: April 24, 2018.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Netherlands—M1156 Precision Guided Kits

The Netherlands has requested to buy three thousand five hundred (3,500) M1156 Precision Guided Kits. Also included are six (6) PGK settable trainers; two (2) PGK cut away models; one hundred (100) M76 PGK fuze wrenches; ten (10) Extended Length Artillery Projectile Extractors (ELAPEs); PGK technical data and publications; U.S. Government engineering and technical support services; and other related elements of logistics and program support. The estimated total cost is \$70 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of the Netherlands which is an important force for political stability and economic progress in Europe. It is important to the U.S. national interests to assist the Netherlands to develop and maintain a strong and ready self-defense capability. The Netherlands has been a consistent coalition partner supporting the United States in various coalition combat operations to include counter-ISIS, Stabilization Force in Iraq, and Afghanistan.

The proposed sale of PGK will provide a precision guided capability to 155mm artillery projectiles and improve Netherlands's capability to meet current and future enemy threats. The Netherlands will use the enhanced capability to strengthen its homeland defenses, deter regional threats, and provide direct support to coalition and security cooperation efforts. The Netherlands will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment will not impact the basic military balance in the region. The principal contractor will be Orbital ATK. There are no known offset agreements proposed in connection with this potential sale. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor. Implementation of this sale will not require the assignment of any additional U.S. or contractor representatives to the Netherlands.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 18-12

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The M1156 Precision Guidance Kit (PGK) is a Global Positioning System (GPS) Precise Positioning Service (PPS) guided 155mm artillery projectile fuze. This effort includes the qualification of PGK on the Assegai M1711 Insensitive High Explosive (IHE) Base Bleed (BB) projectile with modular charges DM92 Charge 6 and PGK on the Assegai M1712 IHE Boat Tail (BT) projectile with modular charges DM92 Charges 5 and 6, both fired from the Netherlands' PzH 2000 self-propelled howitzer.

2. The M1156 utilizes the Enhanced Portable Electronic Fuze Setter (EPEFS) to set the PGK and the Portable Electronic Fire Control System (PEFCS) both purchased previously under a previous Excalibur FMS case. The PEFCS contain an Improved Platform Integration Kit (MK) to load GPS coordinates. Both the PGK and PEFCS contain the Selective Availability Anti-Spoofing Module (SAASM). The PGK has 90% commonality with the Army's XM395 Accelerated Precision Mortar Initiative (APMI). The PGK (the end-item) is unclassified. Transfer of the PGK may reveal information up to SECRET.

3. The M1156 utilizes the Army's M782 Multi-Option for Artillery (MOFA) Proximity Height of Burst (HOB) Technology. The HOB sensor is comprised of components with technologies deemed as state of the art, requiring specialized production skills. The sensitive/critical technology is primarily in the design, development, production and manufacturing of the components (integrated circuits and assembly), and the integration methodology required to integrate those components onto an assembly to process embedded (the software-algorithm-working parameters). The HOB technology is classified SECRET.

4. Disclosure of this technology could result in an adversary developing counter-

measures, thus lessening the effect of the projectile. Disclosure of test data, countermeasures, vulnerability/susceptibility analyses and threat definition could all aid reverse engineering and could be used by an adversary for possible use against U.S. and Coalition forces. Compromise could jeopardize the U.S. forces inventory through jammer development by adversaries. The risk of compromise has been assessed as moderate. Risk is reduced for fuze/munitions if adequately controlled and protected in storage and on the battlefield. Risk is mitigated by the prevention of disclosure of sensitive classified information (the know-how, software, and associated documentation).

5. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

6. A determination has been made that the Netherlands can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

7. All defense articles and services listed in this transmittal have been authorized for release and export to the Netherlands.

VOTE EXPLANATION

Mr. NELSON. Mr. President, I was necessarily absent for the April 23, 2018, vote on the motion to invoke cloture on Calendar No. 624, the nomination of Stuart Kyle Duncan to be U.S. Circuit Judge for the Fifth Circuit. I would have voted nay.

FIFTH ANNIVERSARY OF THE RANA PLAZA FACTORY COLLAPSE IN BANGLADESH

Mr. MENENDEZ. Mr. President, 5 years ago today, the Rana Plaza building collapsed in Bangladesh, tragically killing more than 1,100 people and injuring thousands more. Rana Plaza, a bustling multistory commercial building in Dhaka, had housed several ready-made garment factories, as well as banks and other businesses. When cracks appeared in the building facade the day prior to its collapse and some stores in the building accordingly closed up shop, owners of the garment factories inside Rana Plaza rather told their workers not to worry and ordered them to return for work the next day, but this was not a time for business as usual. Thousands of garment workers, the majority of them enterprising young women achieving new levels of financial independence for themselves and their families, filed back into the building the next morning. Thousands of them never made it back out. The world was rightly stunned and horrified by the images of the lifeless bodies of hundreds of young women being pulled from the rubble of this man-made disaster.

The Rana Plaza tragedy could have been avoided, and it demonstrated that "business as usual" in Bangladesh's

garment industry inordinately rewarded factory owners and managers, while ignoring factory workers' safety and rights. In the dusty rubble of the building collapse, it became crystal clear that the Bangladeshi Government, factory owners and managers, and the global apparel brands all had a grave responsibility to do more, and quickly, to secure the labor rights of Bangladeshi workers. A simple fact remains, 5 years later: Had the Rana Plaza workers been afforded the ability to organize and protect their interests, the tragedy never would have happened. With collective strength and action, they could have stood up to employers to demand basic rights, and they could have refused to be ordered back into the building without appropriate safety standards. Five years later, it is also clear that a great deal of work remains to secure these rights.

As the son of a seamstress who worked in the textile factories of northern New Jersey, I knew from watching my mother how tiring and strenuous such work could be, but it does not have to be fatal. The United States' own Triangle Shirtwaist Fire more than a hundred years before Rana Plaza, which killed nearly 150 people, galvanized a necessary workers' movement and subsequent necessary reforms that to this day help protect labor rights while ensuring that American companies produce high-quality products. To this day, the AFL-CIO and other American labor unions work tirelessly to expose the conditions facing U.S. workers and to organize collective responses and inform government decisions to promote worker protections. Last year, for example, an AFL-CIO report revealed an alarming rate of workplace deaths among Latinos and immigrants to the United States and provided recommendations to the Department of Labor to address them. Along with many of my Senate colleagues, I am pushing for our government to adopt these recommendations. Put simply, the successes of American organized labor are inextricable from the prosperity of the American economy and have helped to boost the fortunes of countless American workers.

We know that countries and people are more secure and prosperous when workers can operate in safety while pursuing economic success. The proud legacy of the movement for American workers' rights demands that we advocate for workers at risk around the globe. In the past 5 years since the Rana Plaza disaster, we have so advocated. We have come together in unprecedented ways to address the factors driving labor abuses against workers in Bangladesh.

As chairman of the Foreign Relations Committee at the time of the Rana Plaza disaster in 2013, my first hearing explored the tragedy and the consequences of a race to the bottom that had increased companies' profit margins alongside risks to their workers. This was the first SFRC hearing fo-

cused on labor rights in more than a dozen years. I called another hearing early the following year to review progress in addressing the labor rights emergency in Bangladesh and conducted rigorous, bipartisan oversight to ensure that the U.S. Government was doing all it could to spur change among brands, owners, and Bangladeshi Government officials. This included a field visit and a November 2013 majority staff report that examined progress in advancing workers' safety and labor rights since the Rana Plaza disaster and the Tazreen factory fire. We also worked closely with our colleagues on the Appropriations Committee to ensure that funds over 3 successive fiscal years were designated to directly support the development and capacity-building of truly independent labor unions in Bangladesh that could safely and effectively advocate for worker rights.

Meanwhile, major American retailers who produced apparel in Bangladesh, including Abercrombie & Fitch, American Eagle Outfitters, and Fruit of the Loom, joined the effort alongside other global brands, governments, civil society, and labor unions to grapple with the acute challenges facing Bangladeshi workers who produced their goods. The risk of undermined consumer confidence and declines in brand quality helped spur some corporations to join the Accord on Fire and Building Safety in Bangladesh—a 5-year, legally binding compact to improve safety in Bangladeshi ready-made garment factories through reasonable steps to prevent future disasters. Most importantly, the accord signatories included labor unions, who were rightly regarded as equal and critical stakeholders in effecting needed change. Five years later, accord brands have the opportunity to demonstrate a sustained commitment to worker rights by signing on to the 2018 accord. This iteration strengthens and expands the accord to cover freedom of association. Other groups, such as the Alliance for Bangladesh Worker Safety, have also helped to further galvanize American and multinational brands to take greater responsibility for ensuring worker safety in Bangladesh. In any such efforts, workers and their representatives must have a truly equal seat at the table, for without them we cannot make meaningful labor rights reforms.

Governments have a critical role to play as well. Following Rana Plaza, the United States and other governments pressed Bangladesh to take meaningful steps to improve respect for labor rights in the country, including through removing Bangladesh from the generalized system of preferences and conducting regular reviews of the Bangladeshi Government's efforts to better adhere to international labor standards. I believe the U.S. Government can and should do more to ensure that developing countries with which our country trades are taking nec-

essary steps to respect labor and human rights. I was proud last year to introduce the Labor Rights for Development Act with Senator BROWN and the Anti-Trafficking Trade Act with Senator PORTMAN that together would raise the labor and human rights standards countries must meet to gain preferential access to the U.S. market.

Five years on, the progress made in Bangladesh is simply not enough. Factories throughout the country have failed to meet their binding commitments on workplace safety in the accord and the alliance, risking the departure of some global retailers to other markets. Independent unions in Bangladesh remain constrained and subject to increasing harassment and attacks on labor rights activists, which often occur with impunity. Amidst a growing climate of political tensions in Bangladesh, the government too often views independent labor unions as opposition dissenters to punish, rather than key partners that are vital to the country's growth and prosperity.

In the 5 years since Rana Plaza, I have continued to believe that what happens in Bangladesh to improve labor rights and workers' safety can have a dramatic ripple effect on the global apparel industry and that real change in working conditions there can help to change conditions for workers everywhere in a race to the top, but similarly, if not enough happens in Bangladesh, it sends the message that workers' lives can still be systematically undervalued and that working to advance labor rights is an endeavor not worth the risk. That is the wrong message, and on this anniversary, we must recommit ourselves to pushing stakeholders in Bangladesh—whether government, brands, or owners—to continue a path of reform. To do any less harms not just the workers, but also Bangladesh's economic potential, because no one will want to wear clothes stained with the blood of workers.

ADDITIONAL STATEMENTS

REMEMBERING JAMES DODD "JIM" MANASCO

• Mr. JONES. Mr. President, today I wish to honor the life and legacy of Jim Manasco, who passed away at his home on Smith Lake in Alabama on April 12, 2018.

Jim was a self-taught artist and sign painter who entered the trade as an apprentice when he was just 16 years old. He was a successful commercial artist for 65 years and possessed the rare ability to letter and paint freehand. He was also a gifted creative artist in multiple mediums, from carving to pottery to painting.

In the early 1970s, Jim, his wife, Ruth, and a small group of naturalists were leaders in the fight to preserve and protect the land along the Sipsey fork of the Black Warrior River in northwest Alabama. Because of his

dedication, Jim was chosen to testify before Congress in support of the Eastern Wilderness Act, which was signed into law in 1975, and the Sipsey Wilderness, in the Bankhead National Forest, became the first wilderness designated in the act. Thanks to Jim and that determined group, generations to come will continue to enjoy pristine, undeveloped lands east of the Mississippi River. Since passage of the act, more than 140 Wilderness Areas and nearly 1.5 million acres have been protected in the eastern United States.

Like FDR, who, following in the footsteps of his “uncle” Teddy Roosevelt, left a great conservation legacy, Jim saw “an America whose rivers and valleys and lakes—hills and streams and plains—the mountains over our land and nature’s wealth deep under the earth—are protected as the rightful heritage of all the people.” Thanks to men like Jim Manasco, more than half of the people who live in Alabama enjoy outdoor recreation every year in the most biologically diverse State east of the Mississippi River and one of the most biologically diverse States in the entire country. Alabama boasts forests, woodlands, wetlands, caves, glades, beaches, and prairies, not to mention more than 4,500 documented species.

The importance of protecting and wisely managing this natural wealth cannot be overstated. In Alabama, outdoor recreation generates 135,000 direct jobs—that is more than twice the number of auto manufacturing jobs—it generates \$3.9 billion in wages and salaries and \$857 million in State and local taxes.

I would be remiss if I did not mention Jim Manasco’s other important legacy, that of Cherokee wisdomkeeper. The Cherokee played a significant role in the history of Alabama, and many Alabamians proudly claim Cherokee ancestry. Jim was long honored as a Tribal elder for his teachings about carvings on beech trees, native symbols, ceremonial knowledge, and Tribal history and for his intimate knowledge of the plants and animals that inhabit the landscape of the South. Some of this wisdom was captured in his popular book, “Walking Sipsey,” published in 1992.

Jim always downplayed his accomplishments, often saying, “Raw talent’s got nothing over dogged determination.” Well, Jim Manasco was right, and America needs more men with dogged determination to do the right thing. I hope to be one of them.●

TRIBUTE TO ALEXANDRA ABRAHAMS

● Mr. RUBIO. Mr. President, today I recognize Alexandra Abrahams, a spring intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Alexandra is a student at the University of Central Florida, where she ma-

jors in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO BRADLEY ALDRIDGE

● Mr. RUBIO. Mr. President, today I recognize Bradley Aldridge, a spring intern in my Orlando, FL, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Bradley Aldridge is a student at the University of Central Florida, where he majors in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to him for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO SAMANTHA BROWN

● Mr. RUBIO. Mr. President, today I recognize Samantha Brown, a spring intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Samantha is a student at the University of Central Florida, where she majors in political science and criminal justice with a minor in legal studies. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO FARAH FOUAD

● Mr. RUBIO. Mr. President, today I recognize Farah Fouad, a spring intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Farah is a graduate of Palm Beach Atlantic University, where she majored in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO JOHN PAUL GILLIAN

● Mr. RUBIO. Mr. President, today I recognize John Paul Gillian, a 2017 spring intern in my Jacksonville, FL, office, for all of the hard work he has

done for me, my staff, and the people of the State of Florida.

John Paul is a student at the University of North Florida, where he is pursuing his masters of science in management. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to John Paul for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO PETER GILLIAN

● Mr. RUBIO. Mr. President, today I recognize Peter Gillian, a 2017 spring intern in my Jacksonville, FL, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Peter is a student at the University of North Florida, where he is majoring in accounting. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Peter for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KYLER GRAY

● Mr. RUBIO. Mr. President, today I recognize Kyler Gray, a spring intern in my Orlando, FL, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Kyler is a student at the University of Central Florida, where he majors in public administration. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to him for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO NATALIE HELLMANN

● Mr. RUBIO. Mr. President, today I recognize Natalie Hellmann, a fall intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Natalie is a student at the Rollins College, where she majors in business administration. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ETHAN HULLIHAN

● Mr. RUBIO. Mr. President, today I recognize Ethan Hulihan, a spring intern in my Orlando, FL, office, for all

of the hard work he has done for me, my staff, and the people of the State of Florida.

Ethan is a student at the University of Central Florida, where he majors in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to him for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MATTHEW MCCOY

● Mr. RUBIO. Mr. President, today I recognize Matthew McCoy, a fall intern in my Orlando, FL, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Matthew McCoy is a student at the University of Central Florida, where he majors in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to him for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO LEA MANGINO

● Mr. RUBIO. Mr. President, today I recognize Lea Mangino, a spring intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Lea is a student at the University of Central Florida, where she majors in political science and minors in business administration. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO MARIAH MAY

● Mr. RUBIO. Mr. President, today I recognize Mariah May, a fall intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Mariah May is a student at the University of Central Florida, where she majors in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO PAOLA RAMOS

● Mr. RUBIO. Mr. President, today I recognize Paola Ramos, a spring intern

in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Paola is a student at the University of Central Florida, where she majors in legal studies and minors in criminal justice. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO AARON ROSENTHAL

● Mr. RUBIO. Mr. President, today I recognize Aaron Rosenthal, a spring intern in my Orlando, FL, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Aaron is a student at the University of Central Florida, where he majors in history. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to him for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO GABRIELLA RUIZ

● Mr. RUBIO. Mr. President, today I recognize Gabriella Ruiz, a spring intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Gabriella is a student at the University of Central Florida, where she majors in political science and minors in Spanish and business administration. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ALYSSA SCHOENROCK

● Mr. RUBIO. Mr. President, today I recognize Alyssa Schoenrock, a spring intern in my Orlando, FL, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Alyssa is a student at the University of Central Florida, where she majors in legal studies. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to her for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ZUBAIR SHAIKH

● Mr. RUBIO. Mr. President, today I recognize Zubair Shaikh, a spring intern in my Orlando, FL, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Zubair is a student at Valencia College, where he majors in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to him for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO LOGAN SPINA

● Mr. RUBIO. Mr. President, today I recognize Logan Spina, a spring intern in my Orlando, FL, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Logan is a student at the University of Central Florida, where he majors in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Logan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO CYNTHIA "CINDY" STEVENS

● Mr. WICKER. Mr. President, today I wish to celebrate the admirable career of Ms. Cynthia "Cindy" Stevens, a native Mississippian whose success in business is accompanied by a lifelong devotion to mentorship and public service.

After graduating from Mississippi State University, Cindy came to Washington as an aide to Mississippi Congressman Sonny Montgomery. She would go on to serve as his legislative director, helping to develop policies that made our State and country better.

Diligence and a devotion to good governance continued in her next role as the director of public affairs at the U.S. Chamber of Commerce, where she worked on issues related to campaign finance and the administration of election laws by Federal agencies. She then joined the Washington Board of Trade, serving as a tireless advocate for the business community.

A reputation for hard work and results has characterized Cindy's work at the global accounting firm Deloitte since she started in 1993 as a member of the support staff for its east coast litigation support services. She was quickly promoted to risk support management and rose to become a principal in government relations, overseeing legislative affairs at the State and local

levels. She led Deloitte's efforts to comply with the Sarbanes-Oxley Act, and her collaboration with the strategy groups of other Big Four firms helped meet key legislative and regulatory agency objectives.

Cindy has been a role model to other female professionals throughout her career. She was a mentor to my current chief of staff when she was first starting her congressional career. Later at Deloitte, she highlighted the achievements and talents of younger female employees to her peers in other firms. She has also been instrumental in efforts to elect women to Congress.

Cindy's own story of success as one of the highest ranking female principals at Deloitte continues to inspire young women. She remains active in organizations she supports, serving on the Mississippi State Foundation Board of Directors, National Capital Multiple Sclerosis Society Board, and the U.S. Chamber Public Affairs Committee.

I wish Cindy well in her retirement. I know she will continue to use her talents and experience to benefit her community.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Cuccia, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4939. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Forest Services Directives" (RIN0596-AC65) received in the Office of the President of the Senate on April 18, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4940. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus subtilis strain FMCH002; Exemption from the Requirement of a Tolerance" (FRL No. 9971-55) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4941. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Bacillus licheniformis strain FMCH001; Exemption from the Requirement of a Tolerance" (FRL No. 9971-54) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4942. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chloromequat Chloride; Pesticide Tolerances" (FRL No. 9974-42) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4943. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, a report of violations of the Antideficiency Act by the Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosions (ATF) between fiscal years 2000 and 2016; to the Committee on Appropriations.

EC-4944. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense's Evaluation of the TRICARE Program for fiscal year 2017; to the Committee on Armed Services.

EC-4945. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Paul A. Grosklags, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-4946. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Gary H. Cheek, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4947. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Admiral Scott H. Swift, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-4948. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Employment of Military Resources in the Event of Civil Disturbances" (RIN0790-AK07) received in the Office of the President of the Senate on April 18, 2018; to the Committee on Armed Services.

EC-4949. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of North Dakota Underground Injection Control Program; Class VI Primacy" (FRL No. 9976-92-OW) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4950. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New York: Incorporation by Reference of State Hazardous Waste Management Program" (FRL No. 9974-06-Region 2) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4951. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Approval of State Plans for Designated Facilities and Pollutants; Missouri; Hospital, Medical, and Infection Waste Incineration (HMIWI) Units" (FRL No. 9977-10-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4952. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Control of Air Pollution from Visible Emissions and Particulate Matter" (FRL No. 9976-92) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4953. A communication from the Chief of the Branch of Domestic Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Species Status for Yellow Lance (RIN1018-BB45) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4954. A communication from the Program Coordinator, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Federal Migratory Bird Hunting and Conservation Stamp (Duck Stamp) Contest Regulations" (RIN1018-BB23) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4955. A communication from the Chief of the Branch of Listing Policy and Support, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removing Textual Descriptions of Critical Habitat Boundaries for Mammals, Birds, Amphibians, Fishes, Clams, Snails, Arachnids, Crustaceans, and Insects" (RIN1018-BA81) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4956. A communication from the Chief of the Branch of Delisting, Downlisting, and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removing the Black-Capped Vireo From the Federal List of Endangered and Threatened Wildlife" (RIN1018-BB79) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4957. A communication from the Chief of the Branch of Domestic Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Species Status for Louisiana Pinesnake" (RIN1018-BB46) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2018; to the Committee on Environment and Public Works.

EC-4958. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of Certain 2018 Cost-of-Living Adjustments" (Rev. Proc. 2018-22) received in the Office of the President of the Senate on April 18, 2018; to the Committee on Finance.

EC-4959. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Rev. Proc. 2018-10) received in the Office of the President of the Senate on April 18, 2018; to the Committee on Finance.

EC-4960. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Belgium, Norway and the United Kingdom to support the maintenance, repair and overhaul of F-100 aircraft engines in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-089); to the Committee on Foreign Relations.

EC-4961. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to France and Japan to support development and modification of maritime patrol aircraft for use by the government of Japan in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-117); to the Committee on Foreign Relations.

EC-4962. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and (d) of the Arms Export Control Act, the certification of a proposed license for the manufacture of significant military equipment abroad and the export of defense articles, including technical data, and defense services to Japan to support the manufacture of Mk 46 Torpedo assemblies and components in Japan in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-133); to the Committee on Foreign Relations.

EC-4963. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to the United Kingdom for the assembly of GPS Aided Inertial Navigation Systems (GAINS) and manufacture of the electronic and mechanical components and parts for GAINS for use in Paveway Weapon Systems in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-136); to the Committee on Foreign Relations.

EC-4964. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to the United Kingdom for the manufacture of control section units and associated electronics modules for the AIM-120 Advanced Medium Range Air-to-Air Missile for end use by the United States Government in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-137); to the Committee on Foreign Relations.

EC-4965. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Australia to support the integration and operation, engineering support, training, testing, maintenance,

and repair of AN/PRC-158 software defined tactical radio systems and the Network Planning and Management System for command and control/command, control, communications, computers, intelligence, surveillance and reconnaissance mission applications in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-138); to the Committee on Foreign Relations.

EC-4966. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2018-0036—2018-0039); to the Committee on Foreign Relations.

EC-4967. A communication from the Director of the Division of Longshore and Harbor Workers' Compensation, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Longshore and Harbor Workers' Compensation Act: Maximum and Minimum Compensation Rates" (RIN1240-AA06) received in the Office of the President of the Senate on April 19, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-4968. A communication from the Acting Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-4969. A communication from the Assistant Secretary for Administration, Department of Transportation, transmitting, pursuant to law, the Agency's fiscal year 2016 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC-4970. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's Fiscal Year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-4971. A communication from the Acting Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-4972. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-300, "Injured Metropolitan Police Office Relief Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4973. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-301, "Child Neglect and Sex Trafficking Temporary Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4974. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-302, "Pools Without Penalties Temporary Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4975. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 22-303, "Deferred Compensation Program Enrollment Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4976. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-304, "Office-to-Affordable-Housing Task Force Establishment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4977. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-305, "Community Residential Facilities Third-Party Notice of Utility Disconnection Requirement of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4978. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-306, "Great Streets Technical Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4979. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-307, "Medical Assistance Program Modernization Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4980. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-308, "Dupont Circle Business Improvement District Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4981. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-312, "Senior Dental Services Program Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4982. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-313, "Interstate Medical Licensure Compact Enactment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4983. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-314, "Nurse Staffing Agency Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4984. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-315, "Maternal Mortality Review Committee Establishment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4985. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Department's fiscal years 2016 and 2017 annual reports relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-4986. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled "Hart-Scott-Rodino Annual Report: Fiscal Year 2017"; to the Committee on the Judiciary.

EC-4987. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management,

EC-5012. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Embraer S.A. Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-1119)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5013. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Fokker Services B.V. Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0268)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5014. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (20); Amdt. No. 3792” ((RIN2120-AA65) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5015. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (125); Amdt. No. 3791” ((RIN2120-AA65) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5016. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (17); Amdt. No. 3794” ((RIN2120-AA65) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5017. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (74); Amdt. No. 3793” ((RIN2120-AA65) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5018. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (75); Amdt. No. 3789” ((RIN2120-AA65) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5019. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (34); Amdt. No. 3790” ((RIN2120-AA65) received in

the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5020. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and E Airspace for the following Missouri Towns; Cape Girardeau, MO; St. Louis, MO; and Macon, MO” ((RIN2120-AA66) (Docket No. FAA-2016-9559)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5021. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Messana, NY” ((RIN2120-AA66) (Docket No. FAA-2017-0953)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5022. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class B Airspace Description; St. Louis, MO” ((RIN2120-AA66) (Docket No. FAA-2017-0178)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5023. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Selinsgrove, PA” ((RIN2120-AA66) (Docket No. FAA-2014-0839)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5024. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment, Revocation, and Establishment of Class D and E Airspace; Enid Vance AFB, OK; Enid Woodring Municipal Airport, OK; Enid, OK; and Vance AFB, OK” ((RIN2120-AA66) (Docket No. FAA-2016-9378)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5025. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Massena, NY” ((RIN2120-AA66) (Docket No. FAA-2017-0953)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5026. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and E Airspace; Lewiston, ID” ((RIN2120-AA66) (Docket No. FAA-2017-0986)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5027. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and E Airspace; Twin Falls, ID” ((RIN2120-AA66) (Docket No. FAA-2017-0969)) received in the Office of the President

of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5028. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace; Clanton, AL” ((RIN2120-AA66) (Docket No. FAA-2017-0802)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5029. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification and Revocation of multiple Air Traffic Services (ATS) Routes; Northcentral United States” ((RIN2120-AA66) (Docket No. FAA-2016-9555)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5030. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Yuma, CO” ((RIN2120-AA66) (Docket No. FAA-2017-1064)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5031. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Restricted Areas R-2907C; Lake George, FL, R-2910B, R-2910C, and R-2910E; Pinecastle, FL” ((RIN2120-AA66) (Docket No. FAA-2018-0103)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5032. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Restricted Areas R-2907C, R-2910B, R-2910C, and R-2910E; Pinecastle, FL” ((RIN2120-AA66) (Docket No. FAA-2018-0103)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5033. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Restricted Areas R-2501E, R-2501N, R-2501W, and R-2501S; Bullion Mountains, CA” ((RIN2120-AA66) (Docket No. FAA-2018-0102)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5034. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “System Safety Program” ((RIN2130-AC31) (Docket No. FRA-2011-0060, Notice No. 6)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5035. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “System Safety Program” ((RIN2130-AC31) (Docket No. FRA-2011-0060, Notice No. 5)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5036. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "System Safety Program" ((RIN2130-AC31) (Docket No. FRA-2011-0060, Notice No. 6)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5037. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Training, Qualification, and Oversight for Safety-Related Railroad Employees" ((RIN2130-AC68) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5038. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "System Safety Program" ((RIN2130-AC31) (Docket No. FRA-2011-0060, Notice No. 4)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5039. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Cape May Peninsula Viticultural Area" ((RIN1513-AC26) received in the Office of the President of the Senate on April 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5040. A communication from the Chief Counsel, National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Rights to Federally Funded Inventions and Licensing of Government Owned Inventions" ((RIN0693-AB63) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5041. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.624(g) of the Commission's Rules Regarding Submission of FCC Form 2100, Schedule G, Used to Report TV Stations' Ancillary or Supplementary Services; Modernization of Media Regulation Initiative" ((MB Docket No. 17-264 and MB Docket No. 17-105) (FCC 18-41)) received in the Office of the President of the Senate on April 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5042. A communication from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Auction of FM Translator Construction Permits Scheduled for June 21, 2018; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 83" ((AU Docket No. 17-351) (DA 18-257)) received in the Office of the President of the Senate on April 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5043. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2018-0210)) received in the Office of the President of the Senate on April 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC-5044. A communication from the Administrator, Transportation Security Ad-

ministration, Department of Homeland Security, transmitting, pursuant to law, a report entitled "2018 Biennial National Strategy for Transportation Security"; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. McCain for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Dorothy A. Hogg, to be Lieutenant General.

Navy nomination of Rear Adm. Richard P. Snyder, to be Vice Admiral.

Navy nomination of Vice Adm. John C. Aquilino, to be Admiral.

Navy nomination of Vice Adm. Charles A. Richard, to be Vice Admiral.

Navy nomination of Capt. Gregory N. Todd, to be Rear Admiral (lower half).

Navy nomination of Capt. John S. Lemmon, to be Rear Admiral (lower half).

Navy nominations beginning with Rear Adm. (lh) Ronald C. Copley and ending with Rear Adm. (lh) Kathleen M. Creighton, which nominations were received by the Senate and appeared in the Congressional Record on March 12, 2018.

Navy nominations beginning with Rear Adm. (lh) Brian K. Corey and ending with Rear Adm. (lh) Johnny R. Wolfe, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 12, 2018.

Navy nomination of Rear Adm. (lh) Darse E. Crandall, to be Rear Admiral.

Navy nominations beginning with Capt. Kristen B. Fabry and ending with Capt. Joseph D. Noble, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 12, 2018.

Navy nominations beginning with Capt. Heidi K. Berg and ending with Capt. William E. Chase III, which nominations were received by the Senate and appeared in the Congressional Record on March 12, 2018.

Navy nomination of Capt. John J. Adametz, to be Rear Admiral (lower half).

Navy nomination of Capt. Thomas J. Anderson, to be Rear Admiral (lower half).

Navy nominations beginning with Capt. James A. Aiken and ending with Capt. George M. Wikoff, which nominations were received by the Senate and appeared in the Congressional Record on March 12, 2018.

Air Force nomination of Gen. Terrence J. O'Shaughnessy, to be General.

Air Force nomination of Col. Michael T. Gerock, to be Brigadier General.

Army nomination of Maj. Gen. Stephen G. Fogarty, to be Lieutenant General.

Army nomination of Brig. Gen. Raymond S. Dingle, to be Major General.

Army nomination of Maj. Gen. Francis M. Beaudette, to be Lieutenant General.

Army nominations beginning with Brig. Gen. Eugene J. LeBoeuf and ending with Col. Robert E. Suter, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2018.

Navy nomination of Adm. Philip S. Davidson, to be Admiral.

Navy nomination of Rear Adm. David M. Kriete, to be Vice Admiral.

Navy nomination of Rear Adm. (lh) Michelle C. Skubic, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Eugene H. Black III and ending with Rear Adm. (lh) Kenneth R. Whitesell, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2018.

Navy nomination of Rear Adm. (lh) Brent W. Scott, to be Rear Admiral (lower half).

Navy nomination of Capt. Darin K. Via, to be Rear Admiral (lower half).

Marine Corps nomination of Lt. Gen. Michael G. Dana, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. David H. Berger, to be Lieutenant General.

Marine Corps nominations beginning with Col. Stephen E. Liszewski and ending with Col. Calvert L. Worth, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2018.

Marine Corps nomination of Maj. Gen. Charles G. Chiarotti, to be Lieutenant General.

Mr. INHOFE for Mr. McCain. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Richard G. Anderson and ending with Joel K. Warren, which nominations were received by the Senate and appeared in the Congressional Record on February 8, 2018.

Air Force nominations beginning with Ronnelle Armstrong and ending with John Marion Von Almen, which nominations were received by the Senate and appeared in the Congressional Record on February 8, 2018.

Air Force nominations beginning with Alison Lee Beach and ending with Cortney Lynn Zuercher, which nominations were received by the Senate and appeared in the Congressional Record on February 8, 2018.

Air Force nominations beginning with Michael J. Abbott and ending with David Russell Wright, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2018.

Army nomination of Tia W. Caphart, to be Lieutenant Colonel.

Army nomination of Napoleon A. Campos, to be Lieutenant Colonel.

Army nomination of Kevin R. Embry, to be Colonel.

Army nomination of Andrew J. Furjanic, to be Colonel.

Army nomination of Daniel L. Lee, to be Colonel.

Army nomination of John M. Williams, to be Colonel.

Army nomination of Roberto Soriano Olivares, to be Major.

Army nomination of Jason Palatas, to be Major.

Army nominations beginning with Jose R. Reveles, Jr. and ending with Kenneth J. Strauss, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2018.

Army nomination of D012279, to be Lieutenant Colonel.

Army nomination of Russell B. Gilliland, to be Major.

Army nomination of Erik M. Bauer, to be Colonel.

Army nomination of Lawrence W. Henry, to be Colonel.

Army nomination of Kenneth A. Willeford, to be Lieutenant Colonel.

Army nomination of D012941, to be Lieutenant Colonel.

Army nomination of Roxanne T. Sickles, to be Major.

Army nomination of James F. Huggins II, to be Colonel.

Army nomination of Denny L. Rozenberg, to be Colonel.

Marine Corps nomination of Douglas R. Burian, to be Major.

Marine Corps nomination of Chad R. Fitzgerald, to be Lieutenant Colonel.

Navy nomination of Edward M. Crossman, to be Captain.

Navy nominations beginning with Nana K. Appiahiah and ending with Austin R. Younger, which nominations were received by the Senate and appeared in the Congressional Record on March 12, 2018.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Jon Parrish Peede, of Mississippi, to be Chairperson of the National Endowment for the Humanities for a term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TESTER:

S. 2732. A bill to clarify that participants in the National Health Service Corps Loan Repayment Program may be assigned to serve in pediatric inpatient mental health facilities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. MANCHIN, Mrs. CAPITO, and Mr. KAINE):

S. 2733. A bill to amend the Department of Agriculture Reorganization Act of 1994 to rename the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 2734. A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

By Mr. RISCH (for himself and Mr. PETERS):

S. 2735. A bill to amend the Small Business Act to provide for the establishment of an enhanced cybersecurity assistance and protections for small businesses, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. GARDNER (for himself, Mr. MARKEY, Mr. RUBIO, Mr. CARDIN, and Mr. YOUNG):

S. 2736. A bill to develop a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region, and for other purposes; to the Committee on Foreign Relations.

By Mr. KAINE (for himself, Mr. PORTMAN, Ms. BALDWIN, and Mrs. CAPITO):

S. 2737. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR:

S. 2738. A bill to amend title 49, United States Code, to require air carrier passengers

with service animals to adhere to a standard of service animal behavior training; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself, Mr. CASSIDY, Mr. ALEXANDER, and Mr. CASEY):

S. 2739. A bill to increase the authority of the Secretary of Health and Human Services to restrict the entrance of illicit drugs into the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. WARREN, Ms. HARRIS, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 2740. A bill to authorize the National Oceanic and Atmospheric Administration to establish a Climate Change Education Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASSIDY (for himself and Ms. BALDWIN):

S. 2741. A bill to authorize the United States Postal Service to inspect the contents of certain suspicious packages for illicit materials without a warrant; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself and Mr. WHITEHOUSE):

S. 2742. A bill to amend the Controlled Substances Act to more effectively regulate selective androgen receptor modulators, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 2743. A bill to clarify that the Secretary of Homeland Security is not required to provide notice to private entities before issuing binding operational directives on agency information security policies and practices; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOZMAN (for himself, Mr. PERDUE, and Mr. LEAHY):

S.J. Res. 60. A joint resolution providing for the reappointment of Barbara M. Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATCH (for himself, Mr. GARDNER, Ms. CORTEZ MASTO, and Mr. VAN HOLLEN):

S. Res. 481. A resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. Res. 482. A resolution congratulating the Villanova University Wildcats for winning the 2018 National Collegiate Athletic Association Division I Men's Basketball Tournament; considered and agreed to.

ADDITIONAL COSPONSORS

S. 112

At the request of Mr. HELLER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 112, a bill to amend title 38, United States Code, to authorize per diem payments under comprehensive

service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes.

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 448

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 629

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 629, a bill to amend the Federal Food, Drugs, and Cosmetic Act to ensure the safety and effectiveness of medically important antimicrobials approved for use in the prevention, control, and treatment of animal diseases, in order to minimize the development of antibiotic-resistant bacteria.

S. 755

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 755, a bill to amend the Pilot's Bill of Rights to facilitate appeals, to limit the reexamination of airman certificates, and for other purposes.

S. 1112

At the request of Ms. HEITKAMP, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1320

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1320, a bill to reform apportionments to general aviation airports under the airport improvement program, to improve project delivery at certain airports, and to designate certain airports as disaster relief airports, and for other purposes.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S.

1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1503

At the request of Ms. WARREN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2147

At the request of Mr. BROWN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2147, a bill to amend the Internal Revenue Code of 1986 to create a Pension Rehabilitation Trust Fund to establish a Pension Rehabilitation Administration within the Department of the Treasury to make loans to multiemployer defined benefit plans, and for other purposes.

S. 2334

At the request of Mr. HATCH, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2334, a bill to amend title 17, United States Code, to provide clarity with respect to, and to modernize, the licensing system for musical works under section 115 of that title, to ensure fairness in the establishment of certain rates and fees under sections 114 and 115 of that title, and for other purposes.

S. 2343

At the request of Mr. WICKER, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 2343, a bill to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States.

S. 2506

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2506, a bill to establish an aviation maintenance workforce development pilot program.

S. 2564

At the request of Mr. TILLIS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2564, a bill to amend title 11, United States Code, to promote the investigation of fraudulent claims against certain trusts, to amend title 18, United States Code, to provide penalties against fraudulent claims against certain trusts, and for other purposes.

S. 2607

At the request of Mr. RUBIO, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of

S. 2607, a bill to provide family members of an individual who they fear is a danger to himself, herself, or others, or law enforcement, with new tools to prevent gun violence.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 2680, a bill to address the opioid crisis.

At the request of Mrs. MURRAY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2680, *supra*.

S. 2708

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2708, a bill to provide for the establishment of Medicare part E public health plans, and for other purposes.

S. 2719

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2719, a bill to direct the Secretary of Veterans Affairs to establish a registry to ensure that members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances on military installations receive information regarding such exposure, and for other purposes.

S. RES. 136

At the request of Mr. MENENDEZ, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. Res. 136, a resolution expressing the sense of the Senate regarding the 102nd anniversary of the Armenian Genocide.

S. RES. 440

At the request of Mr. PORTMAN, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. Res. 440, a resolution designating April 2018 as "Second Chance Month".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Kaine (for himself, Mr. PORTMAN, Ms. BALDWIN, and Mrs. CAPITO):

S. 2737. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Health, Education, Labor, and Pensions.

Mr. Kaine. Mr. President. Maintaining a talented workforce is essential to cultivating a strong economy and positioning our Nation for success in today's increasingly competitive global marketplace. Opportunities for education, professional development, and the acquisition of skills immediately translatable in the workplace will help to ensure that our students and workers are equipped with the skills re-

quired to succeed in the 21st century. Career and technical education (CTE) programs play a vital role in increasing student engagement, continuing our nation's economic competitiveness, and building the skills of our country's workforce.

In recent years, there has been a resurgence of student interest in career and technical education, but shortages in high-quality CTE teachers have made it difficult for school districts to meet this demand. While the Higher Education and Opportunity Act of 2008 provides grants for teacher residency partnership programs to colleges and universities who work with high-needs school districts to train prospective teachers, no CTE-focused partnerships exist.

That is why I am introducing with my colleagues, Senator BALDWIN, Senator PORTMAN and Senator CAPITO the Creating Quality Technical Educators Act, which would amend the Higher Education and Opportunity Act to create a CTE teacher-training grant partnership to equip aspiring CTE teachers with real-world experience and credible skills to apply in the classroom. This legislation would foster teacher training partnerships between high-needs secondary schools and post-secondary institutions to create a one-year residency initiative for teachers and includes teacher mentorship for a minimum of two years. This period of hands-on training and mentorship will only increase the ability of CTE teachers to benefit their students through classroom instruction and serve as a career model.

In addition to establishing CTE specific teacher-training grant partnerships, this bill takes a proactive approach to recruiting and training more high-quality CTE teachers. CTE teacher residencies would target teacher candidates from a variety of backgrounds including recent college graduates, veterans, mid-career professionals, and currently licensed teachers with a need for technical skills training who seek to transition into CTE fields.

As co-chair of the Senate CTE Caucus, I am proud to introduce this commonsense, bipartisan legislation to recruit and train talented teachers to meet the rising need for CTE. The Creating Quality Technical Educators Act is an important step towards ensuring access to high-quality CTE instruction, preparing teachers for success, and maintaining the skill set of our Nation's workforce.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 2734. A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE.

(a) **DESIGNATION.**—The Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, shall be known and designated as the “George P. Kazen Federal Building and United States Courthouse”.

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “George P. Kazen Federal Building and United States Courthouse”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 481—CALLING UPON THE LEADERSHIP OF THE GOVERNMENT OF THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA TO DISMANTLE ITS LABOR CAMP SYSTEM, AND FOR OTHER PURPOSES

Mr. HATCH (for himself, Mr. GARDNER, Ms. CORTEZ MASTO, and Mr. VAN HOLLEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 481

Whereas the public has long been aware of the labor camp system in the Democratic People’s Republic of Korea (North Korea) through continuous eye-witness and survivor accounts, and now publicly available satellite technology;

Whereas, according to The Hidden Gulag IV report, North Korea runs 2 kinds of prison camps, the kwan-li-so and the kyo-hwa-so, as well as “various types of short-term forced labour detention facilities”;

Whereas the most heinous camps, the kwan-li-so, known as Prison Camp 14, 15, 16, 18, and 25, contain roughly 80,000 to 120,000 political prisoners;

Whereas the Inquiry on Crimes Against Humanity in North Korea Political Prisons Report of 2017 states that “hundreds of thousands of inmates are estimated to have died”;

Whereas, from 1981 to 2013, an estimated 400,000 people out of 500,000 imprisoned were killed in these labor camps;

Whereas persons who are sent to these labor camps are forcibly disappeared and intended to die;

Whereas the United Nations Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea found, “the inmate population has been gradually eliminated through deliberate starvation, forced labour, executions, torture, rape and the denial of reproductive rights enforced through punishment, forced abortion and infanticide”;

Whereas up to 3 generations of a “violinist’s” family will be sent to the labor camps even if no “wrongdoing” is found;

Whereas, according to the Inquiry on Crimes Against Humanity in North Korea Political Prisons Report of 2017, the Government of North Korea regularly and routinely

commits crimes against humanity, including murder, extermination, enslavement, forcible transfer, imprisonment, torture, sexual violence, persecution, enforced disappearances, and other inhumane acts;

Whereas, according to the best available evidence, some specific crimes identified by the Inquiry are that—

(1) “Christians are heavily persecuted and receive especially harsh treatment in prison camps, with one former prison guard testifying that ‘Christians were reactionaries and there were lots of instructions . . . to wipe out the seed of reactionaries’”;

(2) multiple witnesses watched prisoners tortured and killed on account of their religious affiliation;

(3) a prisoner was raped by a security officer, after which the officer stuck a wooden stick inside her vagina and beat her lower body, resulting in her death within a week of the rape;

(4) an abortion was induced by 3 men standing on a wooden plank placed on a pregnant prisoner’s stomach;

(5) another witness lost consciousness after enduring a beating designed to trigger premature labor, with prison officials killing her baby before she could regain consciousness;

(6) rape victims who feared being killed after becoming pregnant engaged in self-induced abortions by eating dirt and poisoning themselves with flower roots;

(7) other rape victims self-induced abortions by inserting a rubber tube in their vaginas;

(8) rape of teenage girls and their subsequent attempts to commit suicide by jumping in the Daedonggang River were so common that prison guards were deployed to the river to thwart them;

(9) four pregnant women were executed for protesting the fact guards forced them to run down a mountain in a failed effort to induce miscarriages;

(10) twelve prisoners were shot and killed in the commotion that ensued after the execution of the 4 pregnant women referenced in paragraph (9), and a former prison guard witnessed a prisoner’s newborn baby, most likely fathered by a high-ranking official, fed to guard dogs and killed;

(11) female prisoners suspected of being impregnated by non-Korean men (namely Chinese men) are subjected to especially harsh treatment, with one witness describing a prisoner being injected with a labor-inducing drug and having to watch as a guard suffocated her newborn to death with a wet towel;

(12) a former North Korean army nurse testified that she saw multiple abortions performed by injecting Ravenol (a motor oil) into the wombs of pregnant women and that babies born 3 to 4 months premature were “wrapped in newspapers and put in a bucket until buried” behind the detention center;

(13) deliberate starvation, malnutrition, and overwork are extremely common, resulting in the deaths of countless prisoners;

(14) at one prison camp, 1,500 to 2,000 prisoners, mostly children, are believed to have died each year from malnutrition, while many other prisoners were beaten to death for failing to meet production quotas;

(15) starving prisoners are regularly executed when caught scavenging for food;

(16) at one prison camp, starving prisoners who were found digging up edible plants on a mountainside were shot to death;

(17) at another camp, a witness saw a fellow inmate executed for stealing potatoes, while in a separate camp a witness described the execution of numerous prisoners caught scavenging for leftover food in prison guards’ quarters;

(18) a prisoner was beaten to death for hiding stolen corn in his mouth;

(19) public executions by firing squads or other means are common, especially for prisoners caught attempting to escape;

(20) the existence of mass graves is well documented, including detailed descriptions of mass burial sites at or near prison camps, as well as testimony about bodies being “dumped” on mountainsides near prison camps;

(21) an undisclosed location near a prison camp was regularly used for nighttime executions, with gunshots clearly audible;

(22) at a 1990 prison riot, approximately 1,500 prisoners were shot and killed, their bodies discarded in a closed mine;

(23) in order to satisfy production quotas, inmates—including teenagers—were forced to perform 15 to 16 hours of hard labor per day;

(24) one witness was forced to perform hard labor (carrying logs) when he was 9 years old;

(25) at one mine in particular, prisoners were forced to work 20 hours per day, with a witness testifying that approximately 200 prisoners died each year at that mine alone;

(26) a soldier supervising a forced labor site at a political prison rolled a log down a steep mountainside, killing 10 prisoners as they were carrying logs up the mountain;

(27) the bodies of some prisoners who died as a result of forced labor or torture were thrown into the cells of prisoners in solitary confinement and later strung on barbed-wire fences where they were eaten by crows;

(28) one witness described a torture chamber with blood and flesh on the walls and decaying corpses of past victims placed in the chamber in order to instill fear in the next prisoner;

(29) psychological abuse in political prisons is pervasive, with gruesome acts, including executions, carried out in plain view of fellow prisoners in order to terrorize them; and

(30) torture is a routine feature of life in political prisons, with a 2014 report by Amnesty International concluding that “North Korea’s prison camps are very possibly home to some of the most appalling torture in the world”;

Whereas officials of the Government of North Korea continually deny the existence of the labor camps;

Whereas the Inquiry on Crimes Against Humanity in North Korea Political Prisons Report of 2017 found that North Korea’s labor camp system “has no parallel in the world today”;

Whereas the United Nations Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea found that the government continually commits crimes against humanity and will not cease, “because the policies, institutions, and patterns of impunity that lie at their root remain in place”;

Now, therefore, be it

Resolved, That the Senate—

(1) calls upon the international community to—

(A) demand the Democratic People’s Republic of Korea (North Korea) dismantle its labor camp system;

(B) create a special tribunal with jurisdiction to investigate and remedy crimes against humanity committed by the Government of North Korea;

(C) issue targeted sanctions against those individuals who have committed such crimes against humanity; and

(D) ban import of goods made by prisoners in the North Korean labor camp system;

(2) calls on the leadership of the Government of North Korea to—

(A) immediately cease human rights abuses;

(B) release the roughly 80,000–120,000 political prisoners;

(C) halt the ongoing arrests of North Koreans on political and religious grounds;

(D) allow the International Committee of the Red Cross entry into the camps to assist with the release and rehabilitation of prisoners;

(E) allow entry to the United Nations High Commissioner for Human Rights and the United Nations Special Rapporteur on Human Rights in North Korea to monitor the situation and assist with the rehabilitation; and

(F) comply with international standards of food distribution and monitoring and allow full access to international humanitarian agencies; and

(3) calls on the United States Government to—

(A) continue to pursue any additional sanctions to the extent possible against those individuals responsible for the North Korean labor camp system, including individuals administering such labor camps; and

(B) continue to raise awareness in the international community of the labor camps and the continuing atrocious crimes being committed in the labor camps.

SENATE RESOLUTION 482—CONGRATULATING THE VILLANOVA UNIVERSITY WILDCATS FOR WINNING THE 2018 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S BASKETBALL TOURNAMENT

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 482

Whereas on April 2, 2018, the Villanova University Wildcats (referred to in this preamble as the “Villanova Wildcats”) defeated the University of Michigan Wolverines by a score of 79–62 in the final game of the National Collegiate Athletic Association (referred to in this preamble as the “NCAA”) Division I Men's Basketball Tournament in San Antonio, Texas;

Whereas the Villanova Wildcats won the NCAA championship in 1985, 2016, and 2018;

Whereas junior point guard Jalen Brunson was named the National Player of the Year after leading the Villanova Wildcats to a second NCAA championship in 3 seasons;

Whereas redshirt sophomore guard Donte DiVincenzo was named the Final Four Most Outstanding Player of 2018;

Whereas the record of Donte DiVincenzo of 31 points, 10-for-15 shooting, 5 rebounds, 3 assists, and 2 blocks will be remembered as one of the greatest individual title game performances in the history of the NCAA tournament;

Whereas Donte DiVincenzo joins Kareem Abdul-Jabbar, Bill Walton, and Jack “Goose” Givens as the only players that have scored 30 points and shot 66 percent or better from the field in an NCAA title game;

Whereas the Villanova Wildcats made 18 3-point field goals in the national semifinal game against the University of Kansas, setting an NCAA tournament record;

Whereas the Villanova Wildcats—

(1) finished the 2017–2018 season with a record of 36–4;

(2) have won 4 Big East men's basketball tournament titles; and

(3) have won 3 national championships; and

Whereas Villanova University is committed to the ideal of the student athlete and the education of the athletes of Villanova University, as evidenced by the presence of 2 seniors and 5 juniors on the roster of the Villanova Wildcats: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates and honors the Villanova University Wildcats men's basketball team on the performance of the team in the 2018 National Collegiate Athletic Association Division I Men's Basketball Tournament; and

(2) recognizes and commends the hard work, dedication, determination, and commitment to excellence of the players, parents, families, coaches, and managers of the Villanova University Wildcats.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2240. Mr. MCCONNELL (for Mr. RUBIO) proposed an amendment to the bill H.R. 2061, to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

TEXT OF AMENDMENTS

SA 2240. Mr. MCCONNELL (for Mr. RUBIO) proposed an amendment to the bill H.R. 2061, to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “North Korean Human Rights Reauthorization Act of 2017”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In 2014, the United Nations Commission of Inquiry (COI) on Human Rights in the Democratic People's Republic of Korea (DPRK) found that the grave human rights violations still being perpetrated against the people of North Korea, due to policies established at the highest level of the state, amount to crimes against humanity. Crimes include forced starvation, sexual violence against women and children, restrictions on freedom of movement, arbitrary detention, torture, executions, and enforced disappearances, among other hardships.

(2) The COI also noted that the Government of the People's Republic of China is aiding and abetting in crimes against humanity by forcibly repatriating North Korean refugees back to the DPRK. Upon repatriation, North Koreans are sent to prison camps, tortured, or even executed. The Government of the People's Republic of China's forcible repatriation of North Korean refugees violates its obligation to uphold the principle of non-refoulement, under the United Nations Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (as made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)).

(3) Estimates from the COI suggest that between 80,000 and 120,000 people are believed to be imprisoned in political prison camps in North Korea. Another 70,000 are believed to be held at other detention facilities. Prisoners in both situations are subject to harsh conditions, limited food, sexual abuse, and in most cases hard labor.

(4) One of the findings of the COI report was the persecution of religious minorities, especially Christians. There is effectively no freedom of religion in North Korea, only worship of the Kim family. Christians are subjected to particularly acute persecution. It has been reported that Christians in North Korea have been tortured, forcibly detained, and even executed for possessing a Bible or professing Christianity.

(5) North Korea profits from its human rights abuses. A 2014 report from the Asian Institute for Policy Studies suggests that

there are nearly 50,000 North Korean workers forced to labor overseas, sometimes without compensation, and for as much as 20 hours at a time. Workers that received compensation were not to be paid more than \$150 per month, which is between 10 to 20 percent of the value of the labor they performed. Based on this report, the regime may profit as much as \$360,000,000 annually from just 50,000 laborers.

(6) On July 6, 2016, the United States imposed sanctions on North Korean leader Kim Jong Un and other senior North Korean officials for human rights violations as required by the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122). This was the first time that the United States had designated North Korean officials for human rights abuses.

(7) The North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122) requires the President to impose mandatory penalties under United States law on any person that “knowingly engages in, is responsible for, or facilitates serious human rights abuses by the Government of North Korea”.

(8) Although the United States Refugee Admissions Program remains the largest in the world by far, the United States has only resettled 212 refugees from North Korea since the date of the enactment of the North Korea Human Rights Act of 2004 (Public Law 108–333).

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government should continue to make it a priority to improve information access in North Korea by exploring the use of new and emerging technologies and expanding nongovernmental radio broadcasting to North Korea, including news and information;

(2) the United Nations has a significant role to play in promoting and improving human rights in North Korea and should press for access for the Special Rapporteur on the situation of human rights in North Korea as well as the United Nations High Commissioner for Human Rights;

(3) because North Koreans fleeing into China face a well-founded fear of persecution upon their forcible repatriation, the United States should urge China to—

(A) immediately halt the forcible repatriation of North Koreans;

(B) allow the United Nations High Commissioner for Refugees unimpeded access to North Koreans inside China to determine whether such North Koreans require protection as refugees;

(C) fulfill its obligations under the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and the Agreement on the Upgrading of the UNHCR Mission in the People's Republic of China to UNHCR Branch Office in the People's Republic of China (signed December 1, 1995);

(D) address the concerns of the United Nations Committee against Torture by incorporating the principle of non-refoulement into Chinese domestic legislation; and

(E) recognize the legal status of North Korean women who marry or have children with Chinese citizens, and ensure that all such children are granted resident status and access to education and other public services in accordance with Chinese law and international standards;

(4) the President should continue to designate all individuals found to have committed violations described in section 104(a) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 2914(a)), regarding complicity in censorship and human right abuses;

(5) the United States currently blocks United States passports from being used to travel to North Korea without a special validation from the Department of State, and the Department of State should continue to take steps to increase public awareness about the risks and dangers of travel by United States citizens to North Korea;

(6) the United States should continue to seek cooperation from all foreign governments to allow the United Nations High Commissioner for Refugees (UNHCR) access to process North Korean refugees overseas for resettlement and to allow United States officials access to process refugees for resettlement in the United States (if that is the destination country of the refugees' choosing); and

(7) the Secretary of State, through diplomacy by senior officials, including United States ambassadors to Asia-Pacific countries, and in close cooperation with South Korea, should make every effort to promote the protection of North Korean refugees and defectors.

SEC. 4. RADIO BROADCASTING TO NORTH KOREA.

Section 103(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7813(a)) is amended—

(1) by striking “that the United States should facilitate” and inserting the following: “that the United States should—

“(1) facilitate”;

(2) in paragraph (1), as redesignated by paragraph (1) of this section—

(A) by striking “radio broadcasting” and inserting “broadcasting, including news rebroadcasting.”; and

(B) by striking “increase broadcasts” and inserting “increase such broadcasts, including news rebroadcasts.”; and

(C) by striking “Voice of America.” and inserting the following: “Voice of America; and”;

(3) by adding at the end the following:

“(2) expand funding for nongovernmental organization broadcasting efforts, prioritizing organizations that engage North Korean defectors in programming and broadcast services.”.

SEC. 5. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.

Section 104(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814(a)) is amended—

(1) by striking “The President” and inserting the following:

“(1) IN GENERAL.—The President”;

(2) by inserting “, USB drives, micro SD cards, audio players, video players, cell phones, wi-fi, wireless internet, web pages, internet, wireless telecommunications, and other electronic media that shares information” before the period at the end; and

(3) by adding at the end the following:

“(2) DISTRIBUTION.—In accordance with the sense of Congress described in section 103, the President, acting through the Secretary of State, is authorized to distribute or provide grants to distribute information receiving devices, electronically readable devices, and other informational sources into North Korea, including devices and informational sources specified in paragraph (1). To carry out this paragraph, the President is authorized to issue regulations to facilitate the free-flow of information into North Korea.

“(3) RESEARCH AND DEVELOPMENT GRANT PROGRAM.—In accordance with the authorization described in paragraphs (1) and (2) to increase the availability and distribution of sources of information inside North Korea, the President, acting through the Secretary of State, is authorized to establish a grant program to make grants to eligible entities to develop or distribute (or both) new products or methods to allow North Koreans easi-

er access to outside information. Such program may involve public-private partnerships.

“(4) CULTURE.—In accordance with the sense of Congress described in section 103, the Broadcasting Board of Governors may broadcast American, Korean, Chinese, and other popular music, television, movies, and popular cultural references as part of its programming.

“(5) RIGHTS AND LAWS.—In accordance with the sense of Congress described in section 103, the Broadcasting Board of Governors should broadcast to North Korea in the Korean language information on rights, laws, and freedoms afforded through the North Korean Constitution, the Universal Declaration of Human Rights, the United Nations Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, and any other applicable treaties or international agreements to which North Korea is bound.

“(6) RELIGIOUS MINORITIES.—Efforts to improve information access under this subsection should include religious communities and should be coordinated with the Office of International Religious Freedom to ensure maximum impact in improving the rights of religious persons in North Korea.

“(7) BROADCASTING REPORT.—Not later than—

“(A) 180 days after the date of the enactment of this paragraph, the Secretary of State, in consultation with the Broadcasting Board of Governors, shall submit to the appropriate congressional committees a report that sets forth a detailed plan for improving broadcasting content for the purpose of targeting new audiences and increasing listenership; and

“(B) 1 year after the date of the enactment of this paragraph, and annually thereafter for each of the next 5 years, the Secretary of State, in consultation with the Broadcasting Board of Governors, shall submit to the appropriate congressional committees a report including—

“(i) a description of the effectiveness of actions taken pursuant to this section, including data reflecting audience and listenership, device distribution and usage, and technological development and advancement usage;

“(ii) the amount of funds expended by the United States Government pursuant to section 403; and

“(iii) other appropriate information necessary to fully inform Congress of efforts related to this section.”.

SEC. 6. SENSE OF CONGRESS ON HUMANITARIAN COORDINATION RELATED TO THE KOREAN PENINSULA.

Title III of the North Korean Human Rights Act of 2004 (22 U.S.C. 7841 et seq.) is amended by adding at the end the following:

“SEC. 306. SENSE OF CONGRESS ON HUMANITARIAN COORDINATION RELATED TO THE KOREAN PENINSULA.

“It is the sense of Congress that—

“(1) any instability on the Korean Peninsula could have significant humanitarian and strategic impact on the region and for United States national interests; and

“(2) as such, the United States Government should work with countries sharing a land or maritime border with North Korea to develop long-term whole-of-government plans to coordinate efforts related to humanitarian assistance and human rights promotion and to effectively assimilate North Korean defectors.”.

SEC. 7. REAUTHORIZATION PROVISIONS.

(a) SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.—Section 102 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended—

(1) in subsection (a), by adding at the end the following: “The President is also author-

ized to provide grants to entities to undertake research on North Korea's denial of human rights, including on the political and military chains of command responsible for authorizing and implementing systemic human rights abuses, including at prison camps and detention facilities where political prisoners are held.”; and

(2) in subsection (b)(1), by striking “2017” and inserting “2022”.

(b) ACTIONS TO PROMOTE FREEDOM OF INFORMATION.—Section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended—

(1) in subsection (b)(1)—

(A) by striking “\$2,000,000” and inserting “\$3,000,000”; and

(B) by striking “2017” and inserting “2022”; and

(2) in subsection (c), by striking “2017” and inserting “2022”.

(c) REPORT BY SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES.—Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) is amended by striking “2017” and inserting “2022”.

(d) REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.—Section 201 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7831) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2017” and inserting “2022”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following new subsection:

“(b) NEEDS ASSESSMENT.—The report shall include a needs assessment to inform the distribution of humanitarian assistance inside North Korea.”.

(e) ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.—Section 203(c)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended by striking “2013 through 2017” and inserting “2018 through 2022”.

(f) ANNUAL REPORTS.—Section 305(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is amended, in the matter preceding paragraph (1) by striking “2017” and inserting “2022”.

SEC. 8. REPORT BY BROADCASTING BOARD OF GOVERNORS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report that—

(1) describes the status of current United States broadcasting to North Korea and the extent to which the Board has achieved the goal of 12-hour-per-day broadcasting to North Korea, in accordance with section 103(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7813(a)); and

(2) includes a strategy to overcome obstacles to such communication with the North Korean people, including through unrestricted, unmonitored, and inexpensive electronic means.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

SEC. 9. REPEAL OF DUPLICATIVE AUTHORIZATIONS.

Section 403 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public

Law 114-122; 22 U.S.C. 9253) is hereby repealed.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE

The Committee on Agriculture is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 10 a.m. to conduct a hearing entitled "The State of Rural America."

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 9:30 a.m. to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 10 a.m. to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 2:30 p.m. to conduct a hearing entitled "Early Impressions of the New Tax Law."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 10 a.m. to conduct a hearing on S. 2680, S. 2315, S. 2597, S. 382 and the following nominations: Sharon Fast Gustafson, of Virginia, to be General Counsel of the Equal Employment Opportunity Commission for a term of four years, Jon Parrish Peede, of Mississippi, to be Chairperson of the National Endowment for the Humanities for a term of four years, and other pending nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 10 a.m. to conduct a hearing entitled "Mitigating America's Cybersecurity Risk."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 10 a.m. to conduct a hearing entitled "Abducted Abroad: Exploring the Plight of International Parental Child Abduction and Its Effect on American Families."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during

the session of the Senate on Tuesday, April 24, 2018, at 2:30 p.m. to conduct a closed hearing.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY AND SECURITY

The Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, April 24, 2018, at 2:30 p.m. to conduct a hearing entitled "Maritime Transportation: Opportunities and Challenges."

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Emmanuel Macron, President of the French Republic, into the House Chamber for the joint meeting on Wednesday, April 25, 2018.

The PRESIDING OFFICER. Without objection, it is so ordered.

NORTH KOREAN HUMAN RIGHTS REAUTHORIZATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 2061 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2061) to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Rubio amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2240) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2061), as amended, was passed.

CONGRATULATING THE VILLANOVA UNIVERSITY WILDCATS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of S. Res. 482, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 482) congratulating the Villanova University Wildcats for winning the 2018 National Collegiate Athletic Association Division I Men's Basketball Tournament.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 482) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, APRIL 25, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Wednesday, April 25; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Pompeo nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:14 p.m., adjourned until Wednesday, April 25, 2018, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

COMMODITY FUTURES TRADING COMMISSION

DAN MICHAEL BERKOVITZ, OF MARYLAND, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2023, VICE SHARON Y. BOWEN, RESIGNED.

DEPARTMENT OF AGRICULTURE

JAMES E. HUBBARD, OF COLORADO, TO BE UNDER SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT, VICE ROBERT BONNIE, RESIGNED.

FEDERAL RESERVE SYSTEM

MICHELLE BOWMAN, OF KANSAS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN

YEARS FROM FEBRUARY 1, 2006, VICE STANLEY FISCHER, RESIGNED.

RICHARD CLARIDA, OF CONNECTICUT, TO BE VICE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS, VICE STANLEY FISCHER, RESIGNED.

RICHARD CLARIDA, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2008, VICE DANIEL K. TARULLO, RESIGNED.

UNITED STATES TAX COURT

MARK VAN DYKE HOLMES, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

JAMES W. CARROLL, JR., OF VIRGINIA, TO BE DIRECTOR OF NATIONAL DRUG CONTROL POLICY, VICE MICHAEL P. BOTTICELLI, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. BRADFORD J. SHWEDO

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. ANTONIO A. AGUTO, JR.
BRIG. GEN. MARIA B. BARRETT
BRIG. GEN. XAVIER T. BRUNSON
BRIG. GEN. CHARLES H. CLEVELAND
BRIG. GEN. DOUGLAS C. CRISSMAN
BRIG. GEN. BRADLEY K. DREYER
BRIG. GEN. JEFFREY W. DRUSHAL
BRIG. GEN. RAUL E. ESCRIBANO
BRIG. GEN. JOHN R. EVANS, JR.
BRIG. GEN. ANTONIO M. FLETCHER
BRIG. GEN. SEAN A. GAINNEY
BRIG. GEN. STEVEN W. GILLAND
BRIG. GEN. MARK W. GILLETTE
BRIG. GEN. KARL H. GINGRICH
BRIG. GEN. CHARLES R. HAMILTON
BRIG. GEN. DAVID C. HILL
BRIG. GEN. DAVID T. ISAACSON
BRIG. GEN. KENNETH L. KAMPER
BRIG. GEN. DONNA W. MARTIN
BRIG. GEN. JOSEPH P. MCGEE
BRIG. GEN. PAUL H. PARDEW
BRIG. GEN. PATRICK B. ROBERSON
BRIG. GEN. ANDREW M. ROHLING
BRIG. GEN. MICHEL M. RUSSELL, SR.
BRIG. GEN. RICHARD M. TOY
BRIG. GEN. JOEL K. TYLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. WENDY L. HARTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY DENTAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. SHAN K. BAGBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. MICHAEL L. PLACE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ROBERT T. CLARK

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY COMMANDANT FOR MISSION SUPPORT, A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. MICHAEL F. MCALLISTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY COMMANDANT FOR OPERATIONS, A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. DANIEL B. ABEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. SCOTT A. BUSCHMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. LINDA L. FAGAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

MCKISA P. FRYER

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

MARK A. CRIMALDI
PHILLIP D. RATHBUN
DONALD G. SNAVELY
JAMES A. WATSON

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

DERRICK J. CHACON
TODD M. LEEDS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SAMANTHA J. SAVAGE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

NEIL PARTAIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

GABRIEL F. SANTIAGO

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES COAST GUARD AS A MEMBER OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF UNDER TITLE 14, U.S.C., SECTION 188:

To be lieutenant commander

KYLE S. YOUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES COAST GUARD AS A MEMBER OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF UNDER TITLE 14, U.S.C., SECTION 188:

To be lieutenant

MICHAEL S. DAEFFLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be captain

REBECCA A. DREW
SARAH J. REED

CONFIRMATIONS

Executive nominations confirmed by the Senate April 24, 2018:

THE JUDICIARY

STUART KYLE DUNCAN, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. PAUL M. NAKASONE